

California Historical Society

Quarterly

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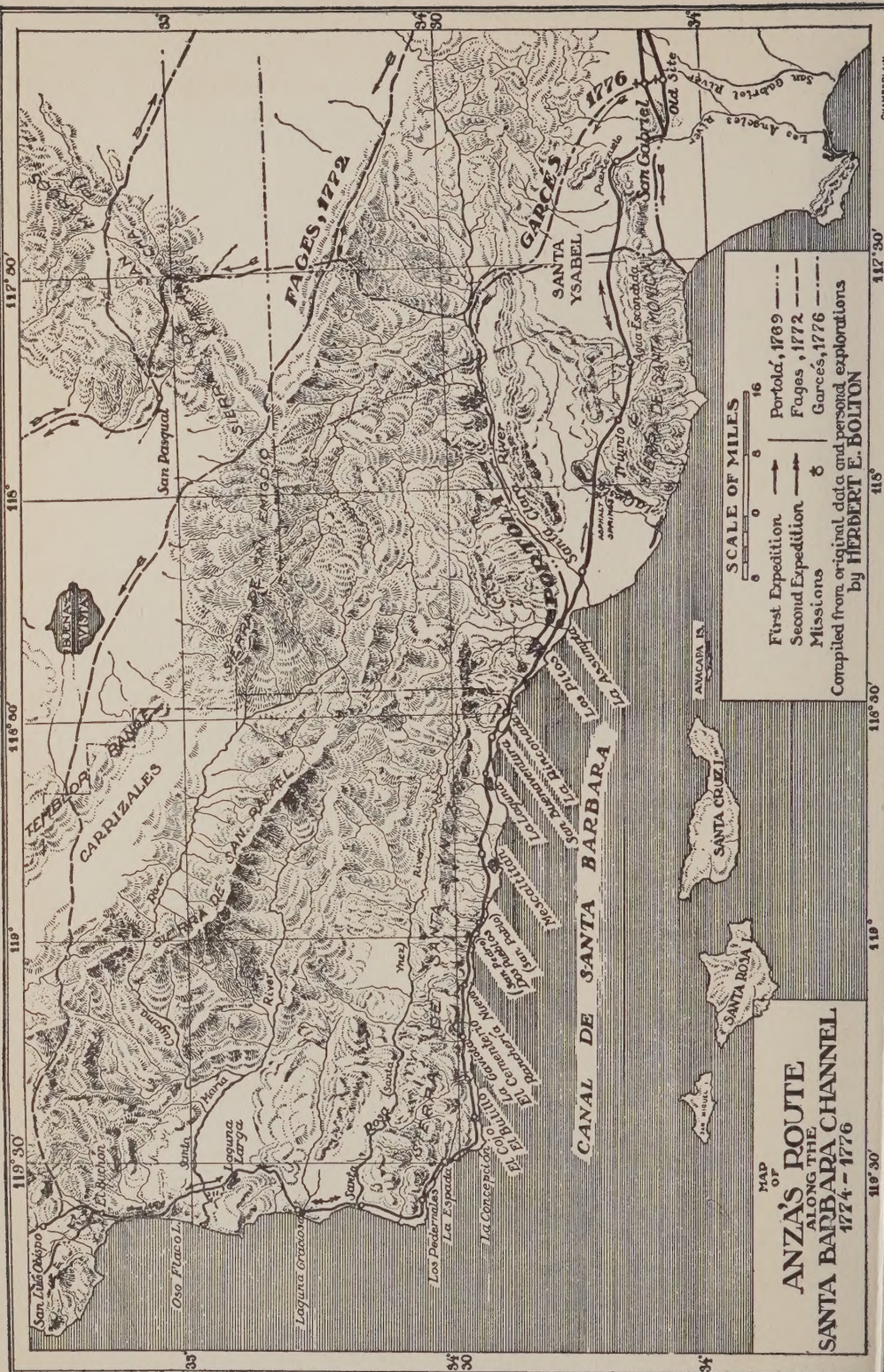
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Quarterly of the California Historical Society

IN THE SOUTH SAN JOAQUIN AHEAD OF GARCES

The first description of the southern San Joaquin Valley has usually been attributed to Father Garcés, the reference being to the diary of his remarkable journey into this spacious country in 1776.¹ We now have an earlier description. The discovery of this fair region has been ascribed to Pedro Fages, but the event has been shrouded in mystery. The mystery can now be dispelled.

The story of the discovery as it comes to us begins with the Herodotus of California, Father Francisco Palóu. In his report on the California missions, dated at Monterey, December 10, 1773, Palóu discussed the effort made the previous year by Fages and Crespi to reach Point Reyes by way of Suisun Bay and the mouth of San Joaquin River. The attempt made from Monterey had failed. But there were prospects of finding a different route, thought Palóu. It would run through the San Joaquin Valley, from the bottom to the top, and swing around Suisun and San Pablo bays by a majestic curve. It was Fages who had suggested another way. Palóu writes:

"The captain commander, Don Pedro Fages, tells us that once when he was looking for some deserters behind the sierra he saw a great plain, and in it some immense tule marshes, with many large lakes, from which, judging by their direction, he infers that those rivers [the San Joaquin and its affluents]* are formed, and that if the plain were followed above the lakes one would come out at Point Reyes, leaving those rivers on the left, and he adds that the level pass comes to an end opposite the mission of San Luis."²

This passage is most interesting. But it leaves several points in doubt. It merely tells us that behind the sierra in an immense valley — the same valley Fages had beheld from Suisun Bay—he saw the tulares, and that a level pass lay opposite the mission of San Luis. It does not say whether Fages entered the "great plain" from the east, west, north or south, or under what circumstances he made his visit.

Bancroft adopted Palóu's story, concluded that the date of Fages's visit to the tulares was 1773, and that he entered the valley from the west. In his history of California he writes:

"It is recorded that some time during 1773 Comandante Fages while out in search of deserters, crossed the sierra *eastward*, and saw an immense plain cov-

* Words in brackets are inserted by Dr. Bolton and italics in quotations are also his, unless otherwise stated.

¹ Coues, Elliott, *On the Trail of a Spanish Pioneer: the Diary and Itinerary of Francisco Garcés in his Travels through Sonora, Arizona and California, 1775-1776*. I, 272-304 (New York, 1900).

² Palóu, Padre Fr. Francisco, *Noticias de la Nueva California*, III, 248 (San Francisco, 1874. John T. Doyle, editor). An English Version is in Fray Francisco Palóu, *Historical Memoirs of New California*, III, 234-35 (Berkeley, 1926. H. E. Bolton, editor).

ered with tulares and a great lake whence came, as he supposed, the great river that had prevented him from going to Point Reyes. This may be regarded as the discovery of the Tulare Valley."³

Putting Palóu and Bancroft together, we have assumed that in 1773 Fages, by a level or open pass, crossed the mountains from San Luis Obispo eastward, and looked out on the tulares and the wide spaces of the southern San Joaquin Valley.

But this does not explain another reference to Fages in the early documents. There is another mystery in the case. In April, 1776, on his way to San Joaquin Valley, Father Garcés left San Gabriel, ascended San Fernando Valley, crossed over Newhall Grade to the vicinity of Castaic, and swung northeast over the mountains by a trail east of the present "Ridge Route." Just before he entered the plains, on the edge of Antelope Valley, he mentioned a lake, evidently Hughes Lake, "and near thereto a village where, according to the signs, Señor Capitan Faxes had been."⁴

When had Fages been in Antelope Valley? Nobody has answered. Bancroft mentions Garcés' statement but passes it by without comment. Coues notes the passage but offers no elucidation.⁵ Here the matter has stood until now. Bancroft and the rest of us have filled in by inference what Palóu left out, have inferred too much, as historians are prone to do, have drawn actually erroneous conclusions, and have failed to connect the two references to Fages in the vicinity of the South San Joaquin before 1776.

But a new document has been discovered, by which the clouds are dispelled, and in the light of which the shadowy events mentioned by Palóu and Garcés take on distinct shape and new significance.

As has been said, Fages and Crespi in March, 1772, went from Monterey to San Francisco Bay and skirted its eastern shore, in an attempt to reach Point Reyes. Crespi's diary of this expedition was published in Palóu's *Noticias*, and is well known.⁶ But it has not been generally known that Fages also kept a diary of the journey. He did, it has been discovered and is now available. It is of vital interest for the problem before us.⁷

This diary tells the story of Fages's visit with Crespi to the mouth of the San Joaquin River, called by them the San Francisco River. The diary closes on April 5, 1772. But at the end it contains a NOTA or SUPPLEMENT, signed by Fages, with his rubric, dated at Monterey, November 27, 1773, just thirteen days before Palóu wrote his report at Carmel Mission.

This NOTA turns the Fages story square around, tells us that he entered the

³ Bancroft, Hubert Howe, *History of California*, I, 197 (*Works*, Vol. XVIII. San Francisco, 1884).

⁴ Coues, Elliott, *On the Trail of a Spanish Pioneer*, I, 268-69.

⁵ Bancroft, H. H., *History of California*, I, 276, footnote; Coues, Elliott, *On the Trail of a Spanish Pioneer*, I, 269, footnote.

⁶ Palóu, Padre Fr. Francisco, *Noticias de la Nueva California*, III, 3-24; and Palóu, Fray Francisco, *Historical Memoirs of New California*, II, 329-54.

⁷ Fages, Pedro, *Diario que se hizo, desde la Mission y Rl. Presidio del Sor. Sn. Carlos del Puerto de Monte-Rey; en busca del Puerto de S^a Fran^{co}; y se compuso el Cuerpo de Esta Expedicion del R. P. F. Juan Chespy Capn. Dn. Pedro Fages catorze Soldados, y un Yndio Christiano Paje del R. P.* (MS.)

South San Joaquin Valley in 1772 and not in 1773, and that he entered it from the south and not from the west. It explains the circumstances of the expedition. It clears up Garcés's reference to crossing Fages's track on the edge of Antelope Valley. It also gives us a detailed description of the South San Joaquin Valley three years before the one written by Garcés.

His note being a supplement to his exploration of the Suisun Bay region, Fages begins his description of the San Joaquin Valley in the north, where the diary of that expedition leaves off. The last point reached in the northern journey was a place which he calls "The Camp of the Return or of Bad Water." It was near the site of the present town of Antioch, in Contra Costa County.

"From the Camp of the Return or Bad Water," says Fages, a great valley extends "to a village called Buena Vista," more than one hundred and twenty leagues to the south and only seven leagues from the southern limit of the vast plains. "This village, because it is on a fair sized elevation, overlooks a great plain along the course of the River San Francisco [the San Joaquin]." We are thus wafted by Fages in a lordly flight some three hundred miles southward to the other extremity of San Joaquin Valley, and to a place called Buena Vista. In the light of what Fages says, the attention is arrested by two names in the same vicinity on the map of today—Buena Vista Lake and Buena Vista Hills. More of these anon.

Fages continues: "This plain will exceed one hundred and twenty leagues in length and in parts is twenty, fifteen and even less in width. It is all a labyrinth of lakes and tulares, and the river San Francisco, divided into several branches, winding in the middle of the plain, now enters and now flows out of the lakes, until very near to the place where it enters into the estuary of the river [that is, Suisun Bay]. In the midst of the winding of the river, and on the sides, there are large rises of land of good soil, where with ease irrigating ditches could be made."

Subsequent events have amply verified this opinion. The fulfillment of Fages's prophecy has made the valley he described an empire. Perhaps he saw in the dim distance of time the wraith of Henry Miller.

"All this plain is very thickly settled with many and large villages. They have many seeds, and especially the one which the soldiers call 'heathen rice' [or wild rice], which grows larger than our rice and also has better flavor. There are two species, one white and the other yellow, and the grain is like mustard.* There is also plentiful game, such as deer, antelope, mule deer, bear, geese, cranes, ducks, and many other species of animals, both terrestrial and winged.

"In their villages the natives live in the winter in very large squares, the families divided from each other, and outside they have very large houses in the form of hemispheres, where they keep their seeds and utensils. They are a people of very good features and of superior height, and are very frank and liberal. It has not been noted that they have committed the least theft. They have some large stones like *metates* on which they grind their seeds."

* Professor W. L. Jepson, of the University of California, author of many books on Western botany, states in a letter to the Publication Committee that one of these plants may have been the "Indian Mountain Rice," a grass which still grows on the Mojave Desert (*Oryzopsis hymenoides*). In addition to the grasses, many plants with small seeds were used by the California Indians for food.

Fages now completes his description of the south end of the San Joaquin and of the exit from it. Where he says south he usually means southeast, as we all do when speaking of this diagonal valley.

"From the village of Buena Vista the plain continues toward the south for seven leagues more, over good lands with some water. And at the end of these seven leagues one goes toward the south through a pass, partly of valleys and arroyos, very thickly grown with groves of live oaks, as are also all the hills and sierras which form these valleys. Going now three leagues more in the same direction one comes to a very large plain, which keeps getting wider and wider, both toward the east and toward the south, leaving to the north and northwest many sierras."

The route which Fages describes, starting at the Buena Vista Hills, is easily recognized by one who has been over the ground. Seven generous leagues, south-east rather than south, take one to the mouth of Las Uvas or Grapevine Canyon. Here, as Fages says, one goes south through a pass, made beautiful with arroyos and live oaks. The top is reached at Tejón Pass above Lake Castaic. Swinging a little eastward, the next three leagues carry one right down the present State Highway to Quail Lake and the Telephone Station where the highways fork. The large plain just beyond was, of course, Antelope Valley, widening into the Mojave Desert.

Having thus described the San Joaquin Valley from north to south, Fages tells us how he came to enter it. To do so he has to transport himself not to San Luís Obispo, but to San Diego, where he started. For thus far he has told his tale backward to make it fit onto the end of his diary of his northern expedition, which left off at Suisun Bay. It is a surprising story of an entirely unknown California expedition*, ahead of Anza, from Imperial Valley over the mountains to San Bernardino Valley, thence through Cajón Pass, along the edge of Mojave Desert, through Antelope Valley, through a pass into the southern end of San Joaquin Valley, northwest across it to Buena Vista Hills and Lake, and through the mountains to San Luís Obispo, four years before Garcés entered the valley. This is quite a different story from the old notion of a trip by Fages east from San Luís Obispo over the mountains, with just a peep at the tulares. It gives Captain Pedro Fages a distinctive position, hitherto unrecognized, as far-travelling trail blazer, and as pioneer in the South San Joaquin.

Here continues Fages story. In reality, here is where it starts: "Last year, coming from San Diego in pursuit of deserters [this agrees with Palóu] I went and struck the plain fifty leagues toward the east." This plain fifty leagues east of San Diego of course would be Imperial Valley or the Colorado Desert. "Lack of water forced us into the sierra." Fages does not say where he entered the sierra, but Anza in 1774 found horse signs in Borrego Valley and Coyote Canyon, the pass by which Anza himself crossed the San Jacinto Mountains from the Colorado Desert to San Jacinto Valley. Captain Fages evidently crossed by the same trail more than a year ahead of Anza.

Fages continues: "When we were parallel with the mission of San Gabriel

* I gave an outline of the story in the footnotes to my *Anza's California Expeditions*.—H. E. B.

we went about fifteen leagues to strike the plain again," that is, the same desert plain where he had been before he was forced "into the sierra." Later it will appear why he did not continue west to San Gabriel. San Bernardino Valley is "parallel" with Mission San Gabriel—that is, in the same latitude. But if Fages came in through San Jacinto Valley he would turn off from the direct road to San Gabriel farther south, in the vicinity of the present city of Riverside. Fifteen leagues from here would take him through the Cajón Pass to the "plain again," that is, to the Mojave Desert. This is clearly the route he followed.

The narrative continues: "We went along the plain toward the north [really northwest] keeping close to the sierra [on the left] on account of the water, travelling about twenty-five leagues [fifty or seventy-five miles] until we reached the pass of Buena Vista. Most of these twenty-five leagues we were passing through groves of date palms [he had passed the vicinity of Palmdale], the land both to the east and the south having more and more palm groves. But the country appeared to be very short of water. We saw many smokes all along the plain." The date palms, of course, were the "Joshua trees" with which the vast plain is thickly sprinkled. Somebody remarked, indeed, that Joshua was an indefatigable tree planter, perhaps the Father of Arbor Day. We know that on this stretch Fages passed near Hughes Lake, where he evidently went to get water. He may have followed Pine Canyon for some distance and for the same reason, but as he says, most of the way he was on the desert.

This part of Fages's story now connects with his description of San Joaquin Valley and its southern exit, as given above. The pass of Buena Vista by which Fages crossed the mountains is clearly the same pass that he mentions as being seven leagues south (or southwest) of the village of Buena Vista. Three leagues from Antelope Valley took him up the line of the present highway to the top of the grade at Tejon Pass. Fages calls it the pass of Buena Vista. The name may refer to the impressive view from the top of the grade, as he beheld just below him the timber-girt little valley in which lies Castaic Lake, with its waters so blue and its fringe of snow-white salt; or, Buena Vista as applied to the pass might well describe the breath-taking panorama which met the gaze of Fages at the bottom of the grade as he merged from Grapevine Canyon and looked out across the broad expanse of San Joaquin Valley.

Seven generous leagues northwestward after leaving Grapevine Canyon took Fages to the village of Buena Vista. He may very well have taken a straight line over the low gap at the neck of Wheeler Ridge, and thus have shortened the distance somewhat.

The village of Buena Vista, it is clear, was at the foot of Buena Vista Hills, on the southwestern edge of Buena Vista Lake, now used as a reservoir by the Miller and Lux and allied interests. Everything points to this conclusion. Fages tells us that it was about seven leagues, by the route he took, from the south end of San Joaquin Valley. The distance fits reasonably well. It was on a fair sized elevation. Buena Vista Hills fit the description and have long borne the name which Fages gave the site. That there was a large Indian village here is amply proved by the vast kitchen middens along the shore of the lake at the foot of Buena Vista Hills. The village was of course called Buena Vista (Beautiful View)

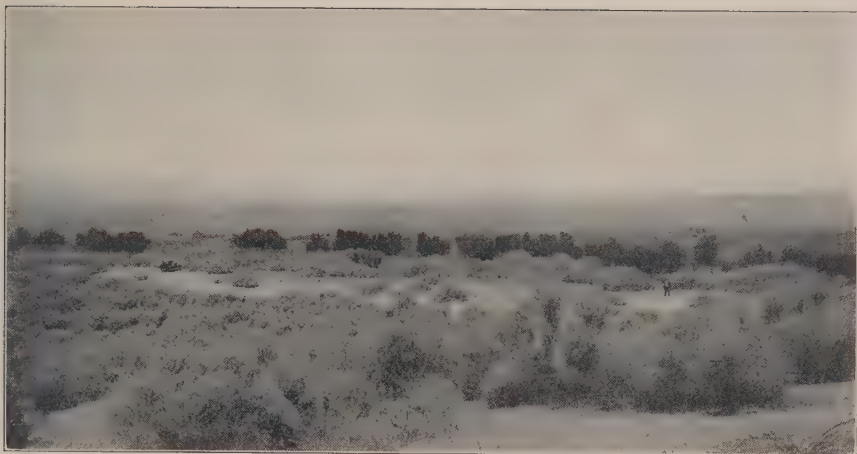
because of the panorama its site afforded. A prominent part of the picture, we are told above, was the "labyrinth of lakes and tulares" on the floor of the valley. Right in front of Buena Vista Hills and the village site there was just such a labyrinth. In the foreground lay the vast lake which ever since the earliest maps has been called Buena Vista. Obviously the lake gets its name because it was a central feature of the fine view from the village by the kitchen middens at the foot of Buena Vista Hills. Anyone who has stood even today on this spot and looked off to the east and south will yield ungrudging approval of the name which Fages gave to the same, but more liquid, panorama nearly one hundred and sixty years ago. The survival of Fages's place name here is most significant. Manifestly Buena Vista Lake, the Buena Vista Hills, and the village at their foot all got their name from the same circumstance.

Fages's brief narrative is confirmed and clarified by several contemporary documents. It is like a new word. Once you learn it you meet it every time you turn around. One of these contemporary documents is Garcés's earlier diary. On March 10, 1774, the Anza expedition was at San Sebastián (Harper's Well) at the entrance to Borrego Valley, through which Anza made his way into the mountains. Garcés was a member of the party. In his diary he speaks of the Indians there, then adds, "They also told us that soldiers had traveled through here. We did not know whether it was Don Pedro Fajes or the deserters, or whether both had passed successively . . . If Don Pedro Fajes or the deserters reached this vicinity the road from San Diego is already known, and if, as they say, he came out at San Luís, the road from San Luís is already discovered." Of course Garcés here referred to a road to San Luís by an interior route, for the road thither through San Gabriel and the coast was so well known that there was no "if" about it. Four days later, at Santa Catarina (Reed's Springs) in Coyote Canyon, Garcés adds, "Near here we saw traces of mules and horses."⁸ Thus I infer that Anza was on Fages's trail across the mountains.

How did Garcés know about Fages's journey? In either of two ways. He may have heard of it from Sebastián Tarabal, the Indian who, having run away from Mission San Gabriel the year before, was now returning as Anza's guide. Or, Garcés may have added the comment about Fages after reaching San Gabriel and hearing the story there. In either case, his comments confirm Fages's story of pursuing deserters from San Diego to Imperial Valley, crossing the mountains, and going to San Luís Obispo by an interior route.

Fages's account is confirmed by still another contemporary document which has been overlooked. It sums up Fages's whole route, and tells why he went through Cajón Pass to Mojave Desert, instead of continuing west to San Gabriel. In January, 1775, Anza was in Mexico preparing to bring a colony to San Francisco. While there he talked with Father Juncosa, who recently had returned to Mexico from Mission San Luís Obispo. Anza talked of going from the Colorado River directly to San Francisco, without touching at San Gabriel. On January 30, Juncosa wrote to Father Font in Sonora, who was planning to join Anza as diarist. In the letter he commented on Anza's proposed route in these words:

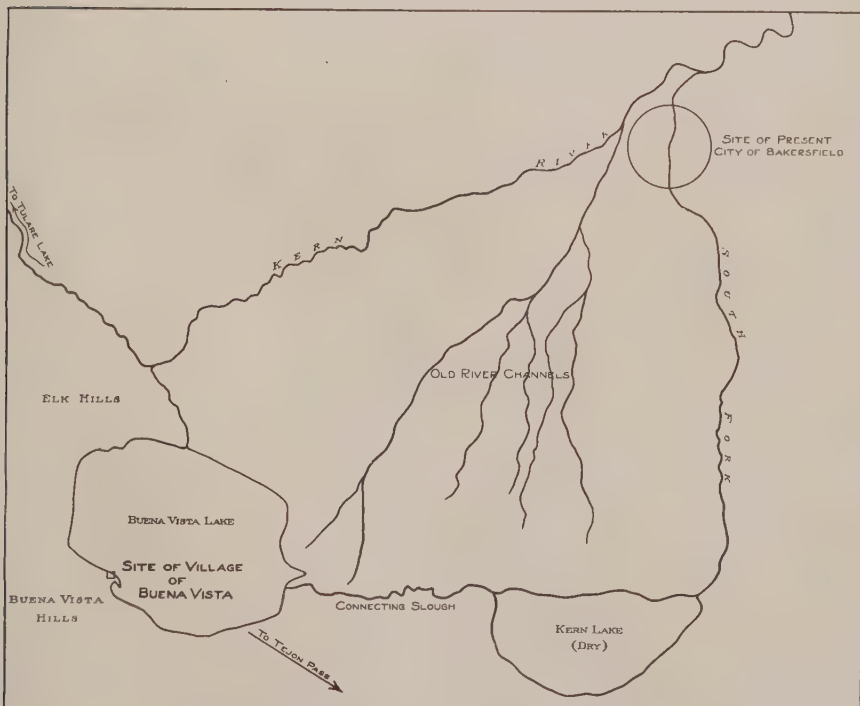
⁸ Fray Francisco Garcés, *Diary*, printed in Bolton, Herbert E., *Anza's California Expeditions*, II, 338-39, 343 (Berkeley, 1930).



VIEW OF THE KITCHEN MIDDEN

ON THE SITE OF THE VILLAGE OF TULAMNIU, THE "BUENA VISTA" OF FAGES.

(Photograph taken August, 1931, by Mrs. Hugh S. Allen, of Bakersfield, looking north across the village site, past the willows and grassy cienaga across the dry bed of Buena Vista Lake. The Elk Hills may be seen in the distance.)



Sketch Map Showing Location of the Village of Buena Vista

"On account of these risks it appears to me that the best thing to do would be to go from the Colorado to strike one of the missions. And if you wish to go to that of San Luís . . . you will have a good road by taking a sort of canyon or valley which runs from nearly east to west all the way from our mission of San Gabriel, or near there, to San Francisco. By this road Captain Fages traveled once when he went from San Diego to San Luís, not wishing to touch at San Gabriel because at that time he was angry at Father Paterna; but we learned that it was a bad road and very rough. It is distant from the missions some three or four days' travel toward the interior [that is sixty or eighty miles]. . . . In case you follow that valley and wish to come out at San Luís, before you reach the latitude named of 35° 28' the Indians already will have told you where that mission is, and perhaps you will find traces of the animals from the various times the soldiers have crossed from the valley to San Luís when they have gone in search of some deserters who were among the immense tulares which are about on the parallel of San Luís."⁹

It must be remembered that Father Juncosa had been missionary at San Luís Obispo, and knew what he was talking about. He probably was at San Luís when Fages arrived there from Buena Vista.¹⁰ According to his story Fages, having crossed the San Jacinto Mountains from Imperial Valley to the vicinity of San Bernardino Valley, and being at outs with Father Paterna, wished to avoid a visit to San Gabriel. He therefore struck into the mountains, presumably through Cajón Cayon, skirted the Mojave Desert, and entered San Joaquin Valley at its southern end. The reason assigned for avoiding San Gabriel may have been childish, but it was justified by the outcome. What a trail he opened because of his huff!

One statement of Juncosa deserves further emphasis. He says, "Perhaps you will find the traces of the animals from the *various times* the soldiers have crossed the valley to San Luís, where they have gone in search of some deserters who were among the immense tulares which are about on the parallel of San Luís." Evidently, then, before Juncosa left San Luís in 1774, hence before Garcés made his visit, several Spanish parties pursued deserters among the tulares of the South San Joaquin. Moreover, not Fages, but renegades — the deserters whom he was chasing — were the first white men to enter the South San Joaquin. This is typical of most American frontiers. Runaway white men found refuge with the Indians beyond the borders.

Garcés tells us interesting things about these runaways. From him we learn that by 1776 Spanish soldiers already had a bad name in the Valley. The Indians at San Pasqual (Tejón Ranch) fled when he approached because of their fear of Spaniards. He says: "Only old women entertained me . . . As soon as they learned that I was a Spaniard all the young people fled to the woods." In another place, farther north, he adds, "Those Indians related to me that in their land they

⁹ Printed in Bolton, H. E., *Anza's California Expeditions*, V, 274-75.

¹⁰ Father Juncosa left San Luís for Carmel in November, 1773, and sailed in the *San Antonio* from Monterey for Mexico in July, 1774, returning to the College of San Fernando on account of ill health. Engelhardt, Fr. Zephyrin, *Missions and Missionaries*, III, 103, 120; 132; Palóu, *Historical Memoirs of New California*, I, 306, 312; II, 309, 360; III, 133.

had killed two soldiers, who I persuaded myself were deserters, because they were very wicked with the women; adding that the Indians had cut off their hands, laid open their breasts and all the body, torn them asunder, and scattered the remains."¹¹

Happily not all Spanish visitors had met such a horrible fate. One at least had found favor with the women, and at the time of Garcés's journey had already started a half breed family. He may have been the first, but he was by no means the last. At a village near the end of his march the friar found a "very grave chief who insisted that I should tarry, giving me to understand that the next day he would take me to see a Spaniard who was married to an Indian woman of the Noches Colteches tribe, who are very close to this place on the east. He added that this Spaniard wore on his breast a certain round thing, which I concluded must be some medal or reliquary; that he spoke of God, and pointed out to them that God lived in the sky. He said that the Spaniard already had a little son, was of good heart, was much sought by all, and lived like the rest of the Indians. Finally, the chief told me by signs that the Spaniard was still wearing some sort of clothes." Garcés concludes, "I persuaded myself that he must be one of the deserters whose life was spared with great clemency."

Thus to many other claims to remembrance as a California pioneer, Pedro Fages added the exploration and description of the South San Joaquin several years ahead of the famed visit of Father Garcés. In the course of his expedition of 1772 he made the first recorded journey through Cajón Canyon, the first exploration of Mojave Desert and of Antelope Valley, the first visit to Hughes Lake and Pine Valley, the first march over Tejón Pass and down Grapevine Canyon, thence across the Valley to Buena Vista Lake and to San Luís Obispo.

Pedro Fages deserves remembrance in the South San Joaquin. Such a trail-maker should be held in memory through monuments by the roadside. I suggest one at Castaic Lake, near the top of Grapevine Pass, of which he was the discoverer. I suggest another at Hughes Lake as a joint monument for him and Garcés. On one face put 1772 and an arrow pointing west, to commemorate Fages's discovery of Antelope Valley. On another face put 1776 and an arrow pointing north in honor of Garcés's crossing of Antelope Valley to Cottonwood Creek, Tejón Canyon, and San Joaquin Valley.

HERBERT E. BOLTON.

FAGES'S NOTE TO HIS DIARY OF 1772*

From the Camp of the Return or Bad Water [a great valley extends] to a village called Buena Vista. This village, because it is on a fair sized elevation, overlooks a great plain along the course of the River San Francisco, which will exceed one hundred and twenty leagues in length and in parts is twenty, fifteen, and even less in width. It is all a labyrinth of lakes and tulares, and the River San Francisco, divided into several branches, winding in the middle of the plain, now enters and now flows out of the lakes until very near to the place where it empties into the estuary of the river. In the midst of the winding of the river and on the sides there are large rises of land of good soil where, with ease, irrigating ditches could be made.

All this plain is very thickly settled with many and large villages. They have many seeds,

¹¹ Coues, Elliott, *On the Trail of a Spanish Pioneer*, I, 272, 274, 288, 295.

*This passage is inserted here in its entirety in order that the reader may have Fages' account unbroken by comments of the author. — H.E.B.

and especially one which the soldiers call "heathen rice," which grows larger than our rice and also has better flavor. There are two species, one white and the other yellow, and the grain is like mustard. There is also plentiful game, such as deer, antelope, mule deer, bear, geese, cranes, ducks, and many other species of animals, both terrestrial and winged.

In their villages the natives live in the winter in very large squares, the families divided from each other, and outside they have very large houses in the form of hemispheres, where they keep their seeds and utensils. They are people of very good features and of a superior height, and are very frank and liberal. It has not been noted that they have committed the least theft. They have some large stones like *metates* on which they grind their seeds.

From the village of Buena Vista the plain continues toward the south for seven leagues more, over good lands with some water. And at the end of these seven leagues one goes towards the south through a pass, partly of valleys and arroyos, very thickly grown with groves of live oaks, as are also all the hills and sierras which form these valleys. Going now three leagues more in the same direction, one comes to a very large plain, which keeps getting wider and wider, both toward the east and toward the south, leaving to the north and northwest many sierras.

Last year, coming from San Diego in pursuit of the deserters, I went and struck the plain fifty leagues toward the east. Lack of water forced us into the sierra but, when we were parallel with the mission of San Gabriel, we went about fifteen leagues to strike the plain again; and we went along the plain toward the north, keeping close to the sierra, on account of the water, travelling for about twenty-five leagues, until we reached the pass of Buena Vista. Most of these twenty-five leagues we were passing through groves of date palms, the land both to the east and the south having more and more palm groves. But the country appeared to be very short of water. We saw many smokes all along the plain.

The Royal Presidio of San Carlos at Monterey, November 27, 1773.

DON PEDRO FAGES [Rubric]

NOTE BY THE PUBLICATION COMMITTEE

In the Templeton Crocker Collection of Californiana there is a manuscript in Spanish entitled "Suplemento," with the subtitle "Noticia del Estado que Guardan las Misiones de Monterey y California" by Pedro Fages. This manuscript bears the date 1775 and is a continuation of a supplement to two reports made by Fages in 1770. It is addressed to the Viceroy, Don Antonio Maria Bucareli y Urzua, and in it is to be found the following passage, which we believe to be of interest in connection with Dr. Bolton's article. The translation is by Miss Edith Johnson.

"The Llano de San Francisco extends from the mouth of the river to a village called Buena Vista near the Portezuelo de Cortes where there are many grape-vines. It is about 160 leagues in length and varies in width from 20 to 30 leagues. There are in it many reed-patches and lakes and the soil is fertile. The natives, who live there in their spherical houses, in order to escape the discomfort which rain causes them when it is very abundant, are accustomed to move to a drier region during the rainy season and when it is over return to their houses. The part of the mountain range which slopes down toward Monterey is somewhat bare of trees but has plenty of seeds and along its streams are many villages. The range on the other side of the river, inland, is very high and the peaks are always covered with snow. On the slope of the range in soil of good quality grow many different varieties of trees and in the thickets live bison."

The village described by Fages and named by him "Buena Vista," was unquestionably that known to the Indians as "Tulamni." In 1806 Zalvidea stated that the population of this village was 36 men, 144 women and 38 children. It was located on Section 6, Township 32 South, Range 25 East, Mount Diablo Base and Meridian. See Gifford and Schenck, *Archaeology of the Southern San Joaquin Valley*, University of California Publications in American Archaeology and Ethnology, Vol. 23, No. 1. Owing to the series of dry years, Buena Vista Lake is at present dry, as is also the *cienaga* at the site of Tulamni. In times past, however, the latter has produced water in considerable quantity. The Indians who formerly occupied this site were Tulamni, a tribe of the Yokuts who occupied the entire San Joaquin Valley. The main settlement of the Tulamni was Tulamni (signifying Tulamni place) the "Buena Vista" of Fages, and from there they ranged westward to Wogititu, near the present town of McKittrick. (Kroeber, A. L., *Handbook of the Indians of California*, Smithsonian Institution Bureau of American Ethnology, Bulletin 78, Washington, 1925, p. 478.)

THE STRUGGLE FOR CIVIL GOVERNMENT IN CALIFORNIA, 1846-1850

By JOSEPH ELLISON

(CONCLUDED)

CHAPTER V

ADMISSION OF CALIFORNIA INTO THE UNION

Congress Informed of California's Action. The first session of the thirty-first Congress assembled on December 3, 1849.¹ It was one of the most exciting sessions the country has ever witnessed. The question of California was again destined to take the foremost place of interest. But during the interval between adjournment of the thirtieth Congress and the opening of the thirty-first Congress, the California issue had assumed a very different aspect. The bold step taken by the people of California in framing a state constitution which prohibited slavery and which established boundaries extending from 42° to about 32° 30' north latitude simplified the issue as far as the anti-slavery men were concerned, for the question of a free California was now a *fait accompli*. Southern statesmen, however, were exasperated.

President Taylor was undoubtedly in full sympathy with the step taken by the people of California. In his annual message he said:

No civil government having been provided by Congress for California, the people of that Territory, impelled by the necessities of their political condition, recently met in convention, for the purpose of forming a constitution and State government, which the latest advices give me reason to suppose has been accomplished; and it is believed they will shortly apply for the admission of California into the Union as a sovereign State. Should such be the case, and should their constitution be conformable to the requisitions of the Constitution of the United States, I recommend their application to the favorable consideration of Congress.

He called on Congress to abstain from the introduction of those "exciting topics of a sectional character which have hitherto produced painful apprehensions in the public mind."²

The message raised a storm. It was charged that the administration had brought improper influences to bear on the situation in California and had instigated "irregular" proceedings there. Resolutions were adopted in both houses, requesting the President to report whether he had appointed a civil or military governor for California, since March 4, and whether any agent had been sent by him with "instructions or authority to organize a State government for that Territory, or to aid and advise in such organization." Also what law had regulated the election of delegates to the constitutional convention, and whether any census of the inhabitants had been taken.³

¹ In the Senate the Democrats had a majority, but in the House the anti-slavery men were somewhat stronger than the pro-slavery men. For a classification of the members according to their political affiliations see *Cong. Globe*, 31 Cong., 1 Sess., 1; Wilson, *Rise and Fall of the Slave Power*, II, 211-12; Julian, *Political Recollections*, 73.

² Richardson, *Messages*, V, 19.

³ *Cong. Globe*, 31 Cong., 1 Sess., 110. The House resolution which differs very little from the Senate resolution, is given on page 90.

In the Senate the resolution was adopted after some discussion between the administration and the anti-administration men. Douglas supported the resolution, claiming that his object was the desire to vindicate the character of the new state whose paternity he was entitled to claim.⁴ Foote, of Mississippi, declared that the newspapers were full of charges against the measures used by the administration to compel the Californians to form a state government.⁵ The resolution was adopted in the Senate on January 17, by a vote of forty-eight to three.⁶

In reply to these resolutions President Taylor transmitted to both houses copies of the official correspondence, accompanied by a special message. The President admitted in this message that he had sent an agent to express to the people of California the desire of the administration that they should form a state constitution in accordance with the Constitution of the United States, and apply for admission into the Union. This, he said, had been done to afford Congress an "opportunity of avoiding occasions of bitter and angry dissensions among the people of the United States," which, he considered, it was the duty of the executive to do. As to the state constitution adopted by the people of California, he declared that although it was in accordance with his wishes, it "was not adopted exclusively in consequence of any expression of my wishes, inasmuch as measures tending to this end had been promoted by the officers sent there by my predecessor, and were already in active progress of execution before any communication from me reached California."

Again he took the opportunity to advise Congress to admit California as a state when she should present herself for admission with a constitution complying with the requirements of the United States Constitution. He warned Congress against any attempt to impose any condition on her admission as a state that would affect "her domestic institutions contrary to the wishes of her people."

Any attempt to deny to the people of the State the right of self-government in a matter which peculiarly affects themselves will infallibly be regarded by them as an invasion of their rights; and upon the principles laid down in our own Declaration of Independence, they will certainly be sustained by the great mass of the American people. To assert that they are a conquered people, and must as a State submit to the will of the conquerors, in this regard, will meet with no cordial response among American freemen.⁷

But all the President's explanations and recommendations were of no avail. The pro-slavery men immediately commenced a bitter attack against the President and California, and for the next eight or nine months California was an "apple of discord." Congress practically neglected all other business on account of the heated debates over California and the slavery question in general.

The House first opened the conflict, which dragged along till September. The first shot was fired by Clingman, of North Carolina. He admitted the right of the inhabitants of a new state to settle for themselves the question of their domestic institutions; but contended that it was for Congress to judge who are the people entitled to decide these questions, as well as the time and manner of admitting the

⁴ *Ibid.*, 178.

⁵ *Cong. Globe*, 31 Cong., I Sess., 179.

⁶ *Ibid.*, 185.

⁷ Richardson, *Messages*, V, 26-30.

state into the Union.⁸ He was followed by Howard, of Texas, who denounced the President's method of persuasion or dictation to the people of California as a "precedent of most dangerous import." But the strongest attack upon the "unconstitutional usurpation" of the executive, and the "unwarranted assumption" of powers by the people of California was made by Seddon, of Virginia. He charged the President with usurping powers that belonged exclusively to the legislative branch of government. As to California, his opinion was that she should be remanded "*to her rightful position of territorial dependence*," thereby annulling "the act of the President and the revolutionary proceedings of the people of California." Otherwise the voluntary proceedings of the people of California might serve as a "very bad precedent," a dangerous and mischievous tendency, and Congress would not be able to assert the rights of the United States to the proprietorship of the public domain within the limits of California. He realized that any attempt to annul her state constitution, and restore her to territorial dependence, might lead to defiance and conflict, "resulting in war and perpetual separation." This, however, he held was the proper course to pursue in spite of any dire consequences.⁹

Arrival of the California Delegation. In the midst of this excitement the California delegation to Congress arrived in Washington. The intelligence that the government of the newly formed state was already in full operation, increased the excitement in political circles.¹⁰ The delegation immediately proceeded to call on the President, the Vice-President, the Speaker of the House, and a number of the most prominent members of the Senate and House, among whom were Clay, Calhoun, Webster, Benton, and Douglas.¹¹ They were well received everywhere, especially by Clay, Webster, Benton, and Douglas, all of whom promised to support the cause of the new state. Clay, in particular, promised to help bring about the admission of the new state.¹² Calhoun at first refused to receive the delegation, giving as his reason his poor state of health. But he subsequently sent for Dr. Gwin, who had formerly been an intimate friend. The meeting, says Gwin, was "solemn and impressive in the extreme." The dying champion of the South reproached Gwin for the part he had taken in the formation of the state government. He pointed out the dire results that would follow the admission of California as a state—that it would destroy the equilibrium of the free and slave states in the Senate, and would finally lead to a civil war and the destruction of his beloved South.¹³ Unwilling to be considered a partisan in the great struggle, Gwin retired to New York.¹⁴

Soon after the arrival of the California delegation, Congress received from the President authentic copies of California's constitution. Immediately there

⁸ *Cong. Globe*, 31 Cong., I Sess., 201 et seq. It is perhaps necessary to state here that in this account will be considered only those parts of the speeches which relate directly to California.

⁹ *Cong. Globe*, 31 Cong., I Sess., App. 74-78.

¹⁰ Gwin, *Memoirs*, 31 et seq. MS in Bancroft Library.

¹¹ *Ibid.*, 31-32.

¹² *Ibid.*, 34-35.

¹³ *Ibid.*, 32-33.

¹⁴ Gwin was justly criticized for his "neutral" course.

sprang up an animated debate about the question of the admission of California. Stanton, of Tennessee, declared that the pseudo state of California could not be admitted into the Union except upon a full adjustment of difficulties. He held that California must be remanded to a position of territorial dependence. He, too, realized that such a course might be surrounded by many difficulties, for the "State may possibly seek to become independent. It will be difficult to reduce it again to a condition of mere dependent territory." But whatever might be the result the responsibility would fall upon those who had originated the unlawful movement.¹⁵

Attempted Legislation in the House. During the course of this discussion many arguments were advanced for and against the admission of California. Something more substantial than mere discussion was attempted by several members of the House. On February 18, Doty, a Democrat from Wisconsin, introduced a resolution to instruct the Committee on Territories to report a bill providing for the admission of California into the Union with boundaries and limits as defined in her constitution. The resolution also provided that the bill should not embrace any subject relating to the territories.¹⁶ The introduction of this resolution was like a thunderbolt in the camp of the pro-slavery men. After motions to lay the resolution on the table had been rejected, an attempt was made to impede any action upon it by frequent calls for adjournment.¹⁷

A few days later Doty introduced a substitute for his resolution, a bill for the admission of California into the Union, with the constitution and boundaries she had adopted, provided she should agree never to interfere with the primary disposal of the soil within her confines.¹⁸ Thereupon Green, of Missouri, offered an amendment proposing to extend the Missouri Compromise line to the Pacific coast. Green professed to be unable to see why so much anxiety was exhibited in admitting California as a state. He was in favor of establishing a territorial government for California, omitting the Wilmot proviso, which should continue until the population there "should become harmonized in the order of society." He did not believe that any remanding was necessary, for California was nothing but a territory and could not become a state until authorized by Congress. For the sake of peace, however, he was willing to admit California into the Union, provided that her southern boundary should extend only to the line of 36° 30' north latitude.¹⁹

The proposition to extend the Missouri Compromise line to the Pacific coast was introduced again and again in the House.²⁰ To the pro-slavery men it seemed a moderate concession to the interests of their section, a kind of sugar coating for the bitter pill of California. They hoped, of course, that the state to be formed south of that line would be a slave state, so the equilibrium of the two sections

¹⁵ *Cong. Globe*, 31 Cong. I Sess., 348-50.

¹⁶ *Ibid.*, 375-76.

¹⁷ On that day the yeas and nays were taken twenty-nine times. *Cong. Globe*, 31 Cong., I Sess., 376-84.

¹⁸ *Ibid.*, 424.

¹⁹ *Ibid.*, App. 425-29. The amendment is given in the *Globe*, 1469.

²⁰ *Ibid.*, 377-78, 938-39, 1194-1200.

would be maintained. Some southern men, however, doubted whether the southern portion of California would ever be a slave-holding state, save by positive enactment. Other bills and resolutions were introduced, but no action was taken. Nothing was accomplished in the House, with regard to California, until the Senate bill arrived. During these long months there was nothing but the "monotonous ding dong of the debate on the Compromise measure."²¹

Clay's Resolutions. The story in the Senate is the same. Very early in the session, Foote, of Mississippi, gave notice of his intention to ask leave to introduce a bill providing for the organization of a territorial government for California, Deseret, and New Mexico. On January 16 Foote introduced his bill as a "new scheme of compromise,"²² and it was referred to the Committee on the Judiciary.²³ This bill served only as a harbinger.

The great effort to solve the California question, as well as other matters, began on January 29, when Henry Clay, of Kentucky, introduced his famous eight resolutions, proposed as an "amicable arrangement of all questions in controversy between the free and slave states growing out of the subject of slavery."²⁴ The first of these resolutions declared that "California, with suitable boundaries, ought, upon her application, to be admitted as one of the States of this Union, without the imposition by Congress of any restriction in respect to the exclusion or introduction of slavery within those boundaries."²⁵ He admitted that there had been some irregularities in the framing and adoption of the state constitution inasmuch as the constitutional convention had not been authorized by an act of Congress. But he hoped that Congress would ignore their irregularities, as it had done in the case of Michigan. The other resolutions,²⁶ which pertained to New Mexico, Utah, Texas, and other slavery issues, need not be considered here.

In spite of Clay's request to postpone to the following week all discussion of these resolutions, the pro-slavery men were immediately on their feet. Foote declared that the resolutions were objectionable to the interest of his section. He denied Clay's argument that slavery was barred by law from the Mexican territories. The treaty with Mexico, he claimed, "carried the Constitution *with all its guaranties*, to all the territory obtained by treaty, and secured the privilege to every southern slave holder to enter any part of it, attended by his slave property." If all other matters connected with the slavery question could be satisfactorily adjusted, he would not object to the admission of California above the line of 36° 30'.²⁷ King, of Alabama, was even more antagonistic. He contended that the people of a new territory must first undergo territorial pupilage to fit them for the "exercise and enjoyment of our institutions," and that California did not

²¹ The "rump session," says Julian, one of the Free Soilers in the House, "made life dreary, members grew pale and thin, and sighed for their homes" Julian, *Political Recollections*, 94.

²² *Cong. Globe*, 31 Cong., I Sess., 75.

²³ The bill is given in *Cong. Globe*, 31 Cong., I Sess., 168-71.

²⁴ *Ibid.*, 244-47.

²⁵ *Cong. Globe*, 31 Cong., I Sess., 244.

²⁶ They are to be found in *Cong. Globe*, 31 Cong., I Sess., 245-46.

²⁷ *Ibid.*, 247.

possess the "kind of population that justified the formation of a State government."²⁸ Many other Senators also criticized the resolutions.²⁹

On February 5 and 6, the time assigned for the consideration of the resolutions, Clay addressed the Senate at great length, supporting and defending his plan of compromise; beseeching and entreating the Senators of both sections to "repress the ardor of their passions, to look at their country at this crisis—to listen to the voice of reason." He pointed out that, according to the doctrine of all parties, any state when about to be admitted into the Union has a right to determine for itself the nature of its domestic institutions.³⁰

Foote's Resolution. At this juncture a message was received from the President transmitting an authentic copy of the constitution of the state of California, which he had received from Senator-elect, William Gwin.³¹ A discussion ensued on the question of reference of the President's message and the constitution of California. Douglas moved to refer them to the Committee on Territories, to which all other bills on the same subject had been referred. Benton favored their reference to a select committee. Foote introduced a resolution providing for their reference to a special committee of fifteen to be chosen by ballot, "whose duty it shall be to consider the same, and also to take into consideration the various propositions now before the Senate relating to the same subject in connection with the question of domestic slavery," and to report a plan for the adjustment of these matters.³² Clay and Douglas objected to the combination, in a general motion, of the question of California with other matters connected with the slavery question. The subject of the admission of California, said Clay, must be kept separate so as to avoid unnecessary delay in admitting the state.³³

The position taken by Clay amazed Foote. He charged the Kentuckian with inconsistency and showed that, in his resolutions and speeches, Clay had made every one believe that it was his intention to offer a general scheme of compromise of all the questions arising out of the slavery subject, and not merely the settlement of one single measure. He accused Benton of having influenced Clay to change his views upon the subject. When he saw Benton "glide across the chamber" to Clay's seat he realized, he said, that there was "some scheme on foot for the betrayal of the South," and that an "attempt" was being made "to *smuggle* California into the Union."³⁴ For the benefit of his son-in-law Fremont, said Foote, Benton was forming a conspiracy to "drag California into the Union before

²⁸ *Cong. Globe*, 31 Cong., I Sess., 250.

²⁹ *Ibid.*, 247-52.

³⁰ *Ibid.*, App. 116-27.

³¹ *Cong. Globe*, 31 Cong., I Sess., 355.

³² *Cong. Globe*, 31 Cong., I Sess., 356.

³³ *Ibid.*, 365.

³⁴ *Cong. Globe*, 31 Cong., I Sess., 366. "When Thomas H. Benton and Henry Clay, 'the great expunger' and 'the great embodiment'," said Clemens, "are found holding sweet converse with each other, forgetting the animosities of thirty years, and lovingly pulling side by side in the same team, there can be nothing so wild and fanciful as to defy belief." *Ibid.*, 395. Clay protested against any insinuations that he was influenced by Benton. Clay and Benton, who were related by marriage, had no special intercourse for years, but shortly before the question of the admission of California came up, they became friends again, but only for a short time.

her wedding garment has [had] yet been cast about her person, and ere she has [had] been regularly bidden to the nuptial." He assured the friends of California that he had nothing against her—on the contrary there was everything in the aspects of her political affairs to awaken in his bosom sentiments of sympathy—but, without the settlement of the other matters, he could not accede to her admission. He threatened the friends of the Union with secession of the southern states, should California be admitted into the Union save on the basis of a general compromise.³⁵

The South considered it bad enough to allow the admission of California, and felt that she could not possibly agree to it unless she was given something to compensate her for a free California. By refusing to consider California apart from other subjects relating to the slavery question, the southern statesmen hoped to gain some advantages for their section. They therefore insisted that every point at issue should be settled at one time. But the northern members maintained that there was no reason why California should be linked with other questions. "Why bind the carcass to the living man?" said one Senator. "I hope that we shall take California by herself, and give her the entertainment that she is entitled to," said Hale, of New Hampshire.³⁶

On February 25, Foote's resolution came up in the regular order of business, and its author moved that it be referred to a committee of thirteen, six of whom were to be elected from the free states, six from the slave states, and one to be chosen by the twelve.³⁷ Many of the ultra southerners favored this proposition. "There is a better chance of agreeing to some scheme of adjustment," said Jefferson Davis, "when thirteen Senators are sent into a room removed from the popular excitement, with a special mission entrusted to them, than in continued debate on the floor of the Senate."³⁸

While the question of the reference of Foote's resolution was still before the Senate, Bell, of Tennessee, introduced on February 28, as a new scheme of compromise, nine resolutions, which, he said, had been compiled and approved by many Senators.³⁹ The sixth resolution proposed to admit California into the Union with her constitution and boundaries as submitted. The seventh and eighth resolutions declared that hereafter the inhabitants of the United States territories were not to adopt state constitutions without the authority of Congress.⁴⁰ The purpose and content of these resolutions were explained by Bell in a long address in which he also undertook to refute all the objections to the admission of California.⁴¹ But the introduction of the new scheme did not in any way simplify the situation, and for a few months the question of the admission of California with its allied subjects was before Congress almost every day.

Calhoun,⁴² Webster, and Seward addressed the Senate at great length. Calhoun

³⁵ *Cong. Globe*, 31 Cong., I Sess., 365-69.

³⁶ *Cong. Globe*, 31 Cong., I Sess., 375.

³⁷ *Ibid.*, 416-17.

³⁸ *Ibid.*, 420.

³⁹ *Ibid.*, 436.

⁴⁰ *Cong. Globe*, 31 Cong., 1 Sess., 439.

⁴¹ *Ibid.*, 436-39.

⁴² Calhoun's speech was read by his colleague Senator Mason.

opposed the admission of California. He combatted the idea that the people of the territories had the same inherent right of self-government as the people in the states, claiming that this assumption was unfounded and unconstitutional. The sovereignty over the territories, he contended, was vested in the United States, and the power of legislating for these territories was vested in Congress. Hence the action of California, he held, was a usurpation of the authority of Congress, was "revolutionary" in its character, and "calculated to lead to the most dangerous consequences." He advocated remanding California to a territorial condition. He did not believe she would refuse to submit.⁴³ Three days later Webster delivered his celebrated speech of the seventh of March. He asserted that slavery had been excluded from California and New Mexico by the Mexican law, the law of nations, and the law of nature. He was in favor of admitting California upon her own terms.⁴⁴ But the great speech in behalf of California was made by Seward on March 11. He attempted to refute all the objections advanced to the admission of California.⁴⁵

There were at that time several propositions before the Senate with regard to the California question: Clay's resolutions, Douglas' resolutions to refer the President's message and the constitution of California to the Committee on Territories, with Benton's amendment, instructing the committee to report a separate bill for California; Bell's resolutions, and Foote's proposition to send them to a committee of thirteen. Foote now became very persistent in his efforts to have the Senate adopt his resolutions. But he was unable to overcome the opposition of many northern Senators, who contended that the admission of California should be considered as a separate measure, and opposed any scheme of a select committee to adjust all the agitating questions.⁴⁶ The southern Senators, on the other hand, insisted that all the questions should be settled together.

On March 25 Douglas reported two bills from the Committee on Territories: one was for the admission of the state of California into the Union; the other one provided for the establishment of territorial governments for New Mexico and Utah, and for other matters as well.⁴⁷ Foote then suggested that they consider the bill "about which there was the least doubt," and leave the disposal of the California bill to the last. On the following day he moved that the territorial bills reported by Douglas should be made a special order for March 29.⁴⁸ Such a course of action was more than Benton could stand, especially since it was proposed by one of his bitterest enemies. He rose to announce that the "friends of California now mean to go into this question." He objected to taking up the territorial bills prior to the admission of California, and as a friend of California, he was ever ready for action until she was admitted into the Union.⁴⁹

⁴³ *Cong. Globe*, 31 Cong., 1 Sess., 455. It was asserted quite frequently that a territorial government was better suited to a frontier community than a state government, for a frontier community is too poor to support an expensive state government. Hence if California should be admitted to statehood she would "come in as a mendicant, asking alms of the Government."

⁴⁴ *Cong. Globe*, 31 Cong., 1 Sess., 476-84.

⁴⁵ *Ibid.*, App. 260-69.

⁴⁶ *Cong. Globe*, 31 Cong., 1 Sess., 509, 517, 663.

⁴⁷ *Cong. Globe*, 31 Cong., 1 Sess., 592.

⁴⁸ *Ibid.*, 602.

⁴⁹ *Ibid.*

The question now was whether the select committee of thirteen should be appointed or whether the Senate should consider the bill reported from the Committee on Territories. Senator after Senator spoke. Frequently the speakers wandered away from the question under consideration. Baldwin and Smith, of Connecticut; Hale, of New Hampshire, Bradbury, of Maine; Dayton, of New Jersey; Webster, Douglas, and many others contended that there was no need to appoint a select committee since bills for the controverted questions had been already reported; that the people of California had a right to expect Congress to consider the question of their state by itself. Dayton pointed out that the reference of the question of California with other matters would be an act of injustice to California and to the northern Senators, who would be compelled to vote for obnoxious measures in order to save California.⁵⁰

But the strongest argument against the select committee and in favor of the Douglas bill was made by Benton, in his characteristic forcible style. California, he contended, was a state, and she should not be mixed up with anything below the dignity of a state. He attempted to show how little related were the various subjects that it was proposed to combine with the proposition of the admission of California. What has California to do with the fugitive slave bill, with a "case of runaway negroes?" he asked. "In her name I protest against this dishonor, against this disgrace of having the high question of her admission thrown into *hotch-potch* with a fugacious bill for the capture of runaway negroes." He then proceeded to refute the arguments advanced against the admission of California.⁵¹

The southern Senators, of course, defended Foote's proposition. In answer to Webster's arguments of the superfluity of a select committee, and the propriety of taking up the California bill before any other one, Foote undertook to give several definite reasons why the committee should be appointed, and why the territorial bills should precede the California bill. In the first place, he contended, the territorial bill was the one he had introduced early in the session, before the receipt of California's state constitution, hence the actual order of events would give precedence to the territorial bill. In the second place, there was a political reason: the admission of California was a certainty, but the passage of the territorial bills without the Wilmot proviso was not. He would therefore have the California bill carry under its wings the territorial bills. "Sir," he said, "you cannot—thank Heaven—you cannot pass a bill for the admission of California, as a separate and distinct measure, at all . . . You may pass the bill here, sir . . . but it will never become a law, notwithstanding." He warned the northern Senators that if they should insist upon the passage of the bill, the South would resort to legislative expedients, "by means of which it is possible that a high-spirited, patriotic, and resolute minority can successfully protect itself, and the vital interests of the Republic, from the usurping violence of an overbearing majority." He continued to plead for the appointment of a select committee, asserting that much good might result from the calm dispassionate interchange of opinions of a select

⁵⁰ *Cong. Globe*, 31 Cong., 1 Sess., 640, 662, 663, 706, 708, 710.

⁵¹ *Ibid.*, 656-62.

committee of distinguished personages of the Senate.⁵² In the same tone spoke Mason, of North Carolina, Butler, of South Carolina, and Underwood, of Kentucky.⁵³

So persistent was the opposition to the proposition of a select committee that Foote even yielded to Webster's suggestion to take up the California bill in the Senate immediately after the committee was appointed.⁵⁴ He doubted, however, whether such a course (to take up a measure in the Senate while the same subject was being considered in a committee), would be consistent with parliamentary law. Butler opposed this idea, fearing lest the Senate might pass the California bill before the committee could report. This course, he said, would amount to "taking the oyster and leaving the shell." He contended that California should be used for a "beneficial and generous purpose." "There were three vessels at sea," he said, "one of them (California) was strong enough to carry the other and weaker vessels into port, if connected with her."⁵⁵

The final struggle about the question of a select committee was staged on April 17 and 18. Benton, above anybody else, was persistent in opposing it. He proposed to take up the bill reported by Douglas for the admission of California.⁵⁶ Clay, who first came out for the consideration of the admission of California separate from all the other matters, had been sufficiently influenced by the conduct of the southern men and the protraction of the debate to drift away from his former position. He now came out for consideration of the admission of California separately or conjointly. Indeed, he soon became an avowed champion of the select committee measure.⁵⁷ He ridiculed the idea that it would be disrespectful to California to combine the question of her admission with other measures, to connect her "in a great scheme of national compromise." He objected to Benton's proposition. With some Senators, he complained, there are no United States, California had absorbed their entire interest. "Give us California, California, and nothing but California," they say.⁵⁸

In spite of Benton's maneuvers, Foote's resolution was finally adopted by a vote of thirty to twenty-two.⁵⁹ Most of the northern men voted against it. The

⁵² *Cong. Globe*, 31 Cong., 1 Sess., 640-42.

⁵³ *Ibid.*, 650-51.

⁵⁴ *Ibid.*, 712.

⁵⁵ *Cong. Globe*, 31 Cong., 1 Sess., 712.

⁵⁶ *Ibid.*, 751-52.

⁵⁷ Clay has been frequently accused of opportunism. In defense of his action Clay declared that throughout his life his aim was to be a "practical man and to give and take." Realizing that California could not be admitted separately, he decided to advocate a combination of the several measures. *Cong. Globe*, 31 Cong., 1 Sess., App. 865; Schurz, *Life of Clay*, 347. In his *Memoirs*, 34-36, Gwin relates the cause that influenced Clay to change his position. Clay told Gwin that he had a conference with a number of the most influential Representatives from the South, who had warned him that unless the California question was combined with the other questions of vital consequence to the South, they would do their utmost to prevent the admission of California. Clay therefore was forced to agree to a compromise, linking all the agitating questions in one compromise measure.

⁵⁸ *Cong. Globe*, 31 Cong., 1 Sess., 756. In answer to Clay's remark that "California had made a runaway match, and now turned up her nose at her unmarried sisters," Benton said: "Well, sir, if she did make a runaway match, she did not marry a runaway negro." *Ibid.*, 756.

⁵⁹ *Ibid.*, 774.

select committee chosen was equally divided between the two sections and the two major political parties.⁶⁰ Clay was chosen as chairman of the committee.

As soon as the committee was raised, Benton offered an amendment instructing it to report separately upon the different subjects referred to it, and not to combine two bills of different nature. The motion was overruled.⁶¹ Three days later Benton renewed the motion against tacking foreign matter on to the bill for the admission of California, supporting his resolution by a long argument against the procedure of combining bills. He also pointed out that if a combination should be made in the Senate, it might occasion dissent in the House, or it might be vetoed by the President.⁶² The resolution was tabled on the motion of Douglas.⁶³

Report of the Committee of Thirteen. On May 8, Clay, as chairman of the select committee, submitted an elaborate report accompanied by three bills. The first bill provided for the admission of California with the constitution she had adopted; for the establishment of territorial governments in Utah and New Mexico⁶⁴ without the Wilmot proviso, but prohibiting their territorial legislatures from passing any acts in regard to slavery; and for the settlement of the boundary question between Texas and New Mexico. The second bill provided for the giving up of fugitive slaves. The third bill dealt with the slavery question in the District of Columbia.⁶⁵ The first bill, composed of thirty-nine sections, attempted to combine for settlement three measures: the California question, the territorial question, and the Texas difficulties. On account of the many provisions it included, it was called in derision the "Omnibus Bill."

In his elaborate report Clay defended the policy of combining several measures in one bill on the ground of congruity and expediency. He held that California and the territories were "common in their origin, common in their alienation from one foreign government to another, common in their wants of good government, and co-terminous in some of their boundaries." In a word, "they have nearly everything in common in the relations in which they stand to the rest of this Union." In the second place, uniting the measures was justified on the ground of expediency and mutual concession. A number of Senators, he said, "would be willing to vote for both united, but would feel themselves constrained to vote against the California bill if it stood alone." He also attempted to answer some of the objections to the admission of California.⁶⁶

But in spite of Clay's pleas for immediate action, the Senate plunged into an animated and protracted debate on the compromise bill, which lasted till August. During the seven weeks that these bills were before the Senate almost every

⁶⁰ The list of members voted upon had been arranged previously by Foote and placed upon the desks of the Senators. Foote, *War of Rebellion*, 127. It was undoubtedly a strong committee, including such men as Webster, Clay, Bell, Berrien, Bright, Mason, and Downs. Seven, including the chairman, were from the South, six were from the North. *Cong. Globe*, 31 Cong., 1 Sess., 780.

⁶¹ *Cong. Globe*, 31 Cong., 1 Sess., 780, 794.

⁶² *Ibid.*, 793-97.

⁶³ *Ibid.*, 798.

⁶⁴ Utah was to be the country east of California; New Mexico was to contain the territory ceded by Mexico, which was not included in California and Utah.

⁶⁵ The bills are printed in the *Cong. Globe*, 31 Cong., 1 Sess., 947-48.

⁶⁶ *Cong. Globe*, 31 Cong., 1 Sess., 944-46.

Senator took the opportunity to voice his opinions, denouncing or supporting the compromise measures. Among those who took a leading part in the discussion were Benton, Douglas, Hale, Seward, Chase, Jefferson Davis, Soulé Yulee, Atchison, and Butler. The chief supporters of the compromise measures were Webster, Clay, Douglas, Cass, and Foote. But the opposition was equally strong.⁶⁷ It is not necessary to discuss in detail the numerous debates and the various motions which were introduced during these months. A summary of the arguments advanced for and against California will suffice.

The main arguments advanced in both houses of Congress against the admission of California were that the constitution of California was not the spontaneous expression of her people but had been concocted in President Taylor's office; that the constitution was formed under unprecedented circumstances, and in an irregular way; that her population was only a heterogeneous group of adventurers; that manifestations of independence had been frequently made, and finally, the real, great objection, the boundaries of the state. We shall now take up each one of these objections.

Objections to Admission of California. From first to last, the southern statesmen contended that the constitution of California had been framed at the behest of the President. It was even asserted that the slave clause had been inserted in the constitution by his order.⁶⁸ As late as August 6, Yulee still contended that Riley had summoned the convention for the purpose of making a constitution "without any demand from the inhabitants, in advance of any popular movement."⁶⁹ Yulee also claimed that the President's dispatches to Riley had been sent ashore at a point on the coast where the steamer touched before reaching San Francisco. He charged that General Riley had violated the federal Constitution, when he financed the convention with money belonging to the United States, without any appropriation by Congress.⁷⁰

In reply, the friends of California contended that, even if the accusation against the President were true, it would not vitiate the constitution which the people of California had framed and adopted.⁷¹ They stoutly denied, however, that the President had been responsible for the statehood movement in California, for the people had taken the initiatory steps toward calling a convention long before any message from the President reached California. The charge of executive interference, as well as many others, was ably refuted by a number of Representatives and Senators; by Thurston, the delegate from Oregon, who had been in

⁶⁷ President Taylor insisted that the admission of California should be dealt with as a separate measure. He strenuously opposed the idea of tacking the territorial questions to the California bill. Webster, *Private Correspondence*, II, 387.

⁶⁸ *Cong. Globe*, 31 Cong., 1 Sess., 179, 454-55; App., 77, 102-4, 258, 297, 747. This as well as all the other arguments considered here had been advanced throughout the whole session in both houses of Congress.

⁶⁹ Even Meigs makes the statement that the convention was not based on "popular initiative." Meigs, *Calhoun*, II, 440.

⁷⁰ *Cong. Globe*, 31 Cong., 1 Sess., App. 1158-61.

⁷¹ To such a view neither slavery men nor the champions of popular sovereignty could agree. In fact Douglas very early announced that his vote on the question of the admission of California would depend in a great measure upon the question whether the constitution was the result of popular initiative or of the President's intervention.

California at the time the convention took place; and in a memorial drawn up by the California delegation to Congress.⁷²

The charge of executive interference seems to be without foundation. There is no evidence to show that the constitution was adopted in obedience to the dictates of the executive. We have already seen that the first steps toward the establishment of a government had been taken by the people themselves, and that General Riley had been forced to step in and give to the popular movement some legal character.

The second objection raised against the admission of California was the *irregular* way in which she had established her state government. The southern men maintained that there were some absolutely essential and prerequisite preliminaries to the organization of territories into states. California alone, they contended, had thrown these essential preliminaries to the winds. No territorial government had ever been established there; she had never undergone a probationary period; without having taken a census, without any law regulating the time, place, and manner of holding a convention, without any act defining her boundaries. Much was said about the desirability of a probationary territorial status for all new communities and about the revolutionary procedure of California in organizing a state government without the previous authorization of Congress. It was pointed out that Florida⁷³ was a territory for a period of twenty-three years and Michigan⁷⁴ was a territory for thirty-three years.⁷⁵

The supporters of California contended that no probationary period was necessary for a community large enough for statehood, nor is it necessary to have authorization of Congress to establish a state government. The Constitution merely declares that "New states may be admitted by the Congress into this Union." Congress can admit but not create new states. Since the Constitution also declares that "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people," it would therefore seem that no previous consent of Congress was necessary for the organization of new states. The final conclusion arrived at by this mode of reasoning was that the people of a territory have the constitutional right to form a state government for the purpose of admission into the Union. The authorization of Congress is undoubtedly a convenience, for it regulates the procedure and assumes the expense of the convention, but it is no essential.⁷⁶

But even if we should admit that the proceedings in California had been irregular, contended the friends of California, yet Congress has power to dispen-

⁷² The memorial, dated March 12, 1850, was drawn up by the two Senators elect and the two Representatives elect and presented to Congress in pursuance of the advice of President Taylor. It aimed to answer the many arguments urged against the admission of California and formally to request Congress to admit their state. See Gwin, *Memoirs*, 36-37. The memorial is given in Browne, *Debates of the Constitutional Convention*, App. 14-23, and in H. Miscellaneous Doc. 44, 31 Cong., 1 Sess., (581).

⁷³ Florida became a territory in 1822.

⁷⁴ Michigan became a territory in 1805.

⁷⁵ *Cong. Globe*, 31 Cong., 1 Sess., App. 462.

⁷⁶ *Cong. Globe*, 31 Cong., 1 Sess., App. 249, 348-49, 433, 448, 690, 891-92.

with all these preliminary forms, whenever it pleases, by an act of admission. It was pointed out that Congress never adhered rigidly to form in admitting new states; that of the seventeen new states admitted into the Union, eight had been admitted without the previous consent of Congress to form a constitution.⁷⁷

Other arguments against the admission of California into the Union were the inadequacy and character of her population. It was declared that either the Californians over-estimated the population of the territory or that the vote on the constitution was not the expression of the popular will, for a vote of 12,811 was not large for a country consisting mainly of adult males.⁷⁸ Moreover, a large number of the voters, it was argued, were Mexicans and other foreigners of all climes and hues,⁷⁹ not familiar with the American system of government.⁸⁰ Even a large number of the Americans in California were stated to be mere adventurers, vagrants—a floating population. There was no reason why California should be entitled to two representatives when Michigan and Florida had been admitted with one representative each.⁸¹

The answer to these objections was that the mere fact that some foreigners had voted for the California constitution, was no insuperable objection to the admission of the state, for foreigners had also voted in Michigan. Moreover the ninth article of the Treaty of Guadalupe Hidalgo provided that all Mexican citizens remaining in the ceded territory after the thirtieth of May, 1849, should be considered to have elected to become citizens of the United States.⁸² Then as to the right of California to two representatives, it was pointed out that the rule prescribed under the apportionment of the census of 1840, entitled each state to one representative for every 76,800 souls and to two when there was a fraction and a moiety of that number.⁸³ To be sure no census had been taken in California, but there was no rule on that subject. A careful estimation might take the place of a census. It was pointed out that no census had been taken in Florida, Iowa, Wisconsin; hence there was no reason why a more rigid rule should be applied to California. In the California memorial to Congress, the population of the state in January, 1850, was estimated around 107,000 souls.⁸⁴ Benton estimated the California adult male population at 100,000; and including the women and children, he said, it would form a population of 600,000 souls. To be sure, the women and children were not there, but "that is their own business," he said. "We look

⁷⁷ Vermont, in 1791; Kentucky, 1792; Tennessee, 1796; Maine, 1820; Arkansas, 1836; Michigan, 1837; Florida, 1845; and Iowa, 1846. *Cong. Globe*, 31 Cong., 1 Sess., 349, 372, 436, 448, 515, 639, 690.

⁷⁸ *Cong. Globe*, 31 Cong., 1 Sess., App. 955.

⁷⁹ Reference to native Californians, Mexicans, Chileans, and other people.

⁸⁰ Some of the southern members were in doubt whether the people of California had become "sufficiently indoctrinated in republican principles, to entitle them to the inestimable rights, privileges, and immunities enjoyed by a state government." *Cong. Globe*, 31 Cong., 1 Sess., App. 462.

⁸¹ *Ibid.*, 544, 457, 462, 955.

⁸² *Ibid.*, 248, 346, 448, 515, 604.

⁸³ At her first state election for governor in 1846 total vote in Iowa was 13,271 yet she came with two members of the House and the ratio for apportioning representation in Congress was the same as in 1850.

⁸⁴ The great majority of the population were American citizens among whom were ex-pressmen, ex-judges and other able men.

to the population which sustains a State—what constitutes political power—which pays taxes, gives votes, and fights battles . . . Where the men are the women will be.” “It rains men upon California,” he exclaimed.⁸⁵ It was also pointed out that the popular vote on the adoption of the California constitution, which was 12,811, was a larger vote than that given by any new state, at the time of its admission into the Union, except Wisconsin.⁸⁶

Still another “insurmountable” objection to the immediate admission of California, was “the absence in her constitution of the recognition of the title of the United States to the public domain within her limits, and the want of a compact not to interfere with the primary disposition of the soil.”⁸⁷ The southern men contended that, with a few exceptions, such a relinquishment had been exacted from all new states when entering the Union with public lands. The execution of such an ordinance of relinquishment was made a condition precedent to the admission of the new state. Without such a compact, the public lands would escheat to the state. The third section of the bill would not save the public lands. Only a compact assented to by both parties, California as well as Congress, could save these lands to the United States government. Without the consent of California, no condition could be valid, for the moment she is admitted, she becomes a sovereign state. She could then set up a claim to all the unappropriated land within her limits. Therefore until California relinquished the public lands, which could be done only by holding another convention, preceding her admission, it would be inexpedient to admit her.⁸⁸

Douglas, on the other hand, contended that sovereignty, state or national, does not include the ownership of the soil, and that the United States government holds its lands by “deeds of conveyance,” by purchase, and by cession. Hence the admission of the state without a compact would not necessarily mean that the public lands would escheat to California. He pointed out that a number of states had been admitted into the Union without being required to enter into a compact, as a condition to their admission into the Union, that they would not interfere with the primary disposal of the land.⁸⁹

The constitutional and political difficulties enumerated above were, however, merely questions of expediency, which could easily be waived as had been done in a number of other cases. The strongest objection of the South to California was on account of her free constitution, and her extensive boundaries along the Pacific coast. The South claimed that the question of slavery and boundaries in the California convention had been controlled by a belief in the necessity of

⁸⁵ *Cong. Globe*, 31 Cong., 1 Sess., 1402; App. 448.

⁸⁶ According to Representative Crowell, the first popular vote in Louisiana in 1812 was only 4748; of Indiana in 1816, only 6789 votes; Mississippi, admitted in 1817, gave a popular vote of 8,075 in 1821. *Ibid.*, App. 690-91.

⁸⁷ For some reasons, the ordinance adopted by the California constitutional convention happened to be omitted in the presentation of the constitution to Congress. The bill of admission reported by Douglas, also overlooked the subject. The bill reported by the select committee, however, included a provision that the state of California should not interfere with the primary disposal of the public lands within her limits.

⁸⁸ *Cong. Globe*, 31 Cong., 1 Sess., 775, App. 961-68, 1001-3.

⁸⁹ *Ibid.*, 848, 852.

reconciling the administration and the majority in Congress, to insure a more speedy admission into the Union. The South considered this whole affair as the inauguration of a new aggressive policy of the North concerning the slavery question.⁹⁰

The ultra southerners were therefore determined that California should not be admitted with her own boundaries. They were willing to waive all the other objections and admit California if her boundaries were curtailed to the line of 36° 30' or 35° 30'. They contended that the extension of the boundaries of a free California, four and a half degrees below the historic line of 36° 30', would be a violation of the Missouri Compromise. Moreover, the population, climate, and soil of California sustained the advocated curtailment of the California boundaries; for the line of 36° 30' divided the pastoral, agricultural, and semi-tropical country of the south, where slave labor was suitable, from the mining and grain growing region of the north.⁹¹

But apart from any questions of constitutional right and obligation toward the South, some of the slavery men contended that the curtailment of the California boundaries was required as a matter of public policy; good public policy required that something like uniformity in the size of the new states should be observed whenever it could be done without disregarding natural boundaries. California disregarded such a policy, and she had embraced a territory sufficient for half a dozen states; she had appropriated for herself the entire sea coast, including every harbor on the Pacific. It is dangerous, contended the southern men, to permit one state to engross all ports and harbors on the Pacific, especially when the state was so remote and isolated, and was being settled by a large foreign population, of little sympathy with the American government. Such a state might be tempted to try an independent existence, and the formation of a western confederacy. They cited several speeches held at the constitutional convention, to show that the spirit of independence had been manifested at the convention. They also cited letters from Commodore Jones, showing that a spirit of independence threatened the power of the United States on the coast. The Senate was warned that this dangerous spirit might infect the other United States territories. Clearly, the interests of the United States would be better protected by forming several states on the Pacific Coast.⁹²

This objection, too, was combatted by the northern members of Congress. They contended that the people of California, who had been left to organize for themselves, were forced to determine their own boundaries. Michigan, Iowa, and Tennessee had also fixed their own boundaries. Furthermore, there is no common standard for the size of a state. The most essential thing to be considered in laying off a state, is to include within its limits, if possible, as much of the means of self subsistence as go to make a state strong; including as much arable land, and as many harbors as necessary. The question of boundary must therefore always depend, to a great extent, upon the peculiar situation of the country: the topogra-

⁹⁰ Mason in the Senate, May 27. *Cong. Globe*, 31 Cong., 1 Sess., App. 651-52.

⁹¹ *Ibid.*, 652, 997-99, 1251.

⁹² *Cong. Globe*, 31 Cong., 1 Sess., 949-50. App. 446, 451-52, 461-62, 544, 1159-68.

phy, soil, and climate. California is merely a long and narrow strip between the Pacific Ocean and the Sierras, bound together by the Bay of San Francisco, and the San Joaquin and Sacramento rivers. Her boundaries are so conformable to natural boundaries, that she could not undergo division without going against the natural limitations.

Moreover, it was contended, neither the area nor the extent of sea coast of California was so extensive as it strikes one at first thought. For much of California is composed of mountains, barren hills and deserts, unfit for cultivation. The quantity of arable land in California is therefore much less than in many of the new states.⁹³ Likewise with the objection to the extent of sea coast. In meting out a sea coast, it must be considered from the view of the available utility of the harbors. Now in spite of the large extent of the sea coast, there are only a few good harbors. Of the harbors of San Francisco, San Diego, Bodega, Monterey, San Pedro, and Santa Barbara, only the first one could be considered a good one.⁹⁴ It was also pointed out that in advocating a division of California, the South was working against her interests, for should California be carved into two or more states they would all be free states, and thus add to the preponderance of the North. This was admitted even by some southern men.

This is a summary of the arguments for and against California which had been voiced in both houses during some eight months of one of the most memorable sessions of Congress. It seems safe to assert that the southern statesmen had very early realized that the admission of California with her own constitution and boundaries was a foregone conclusion. This they felt they were powerless to prevent. But they expected to be compensated for swallowing this bitter pill⁹⁵ by gaining concessions in the other contested matters of the slavery question. In this they partly succeeded.

After the maze of exciting debates, and all kinds of conflicting motions and amendments, during the long months of May, June, and July, the Senate agreed to strike out from the "omnibus" bill the provisions relating to California.⁹⁶ And then, says Benton, the "omnibus was overturned, and all the passengers spilled, but one. We have but Utah left . . . a monument to the herculean labors of the immortal thirteen."⁹⁷

Passage of the Bill. On August 12, Douglas called up his California bill, and it was made a special order for the afternoon session, against the opposition of the southern senators.⁹⁸ The South now made a supreme effort to

⁹³ *Cong. Globe*, 31 Cong., 1 Sess., App. 247, 253, 261, 347, 448, 515, 523, 639-40. In the California memorial the amount of arable land in California was estimated at about 38,887.5 square miles or 24,888,000 acres, about a fourth of the whole area of the state.

⁹⁴ *Cong. Globe*, 31 Cong., 1 Sess., 438, 537; App. 346-47.

⁹⁵ Said Senator Atchison of Missouri, referring to California and the compromise question: "I would turn her loose in the wilderness, as the Jews did the scape-goat . . . I would hurl her from the rock backwards before I would vote for her admission as a separate measure." *Cong. Globe*, 31 Cong., 1 Sess., 1203.

⁹⁶ *Ibid.*, App. 1483. On the following day a territorial government was organized for Utah.

⁹⁷ *Cong. Globe*, 31 Cong., 1 Sess., App. 1484.

⁹⁸ It was agreed to take up the bill by a vote of 35 to 33. Foote again threatened to resort to parliamentary means to defeat the passage of the California bill as a separate measure. *Cong. Globe*, 31 Cong., 1 Sess., 1503.

prevent the passage of the bill. Again and again amendments were introduced by the southern men proposing to limit the southern boundary of the state of California to the line of 35° 30' or 36° 30' north latitude. They appealed to the magnanimity and patriotism of the Senate.⁹⁹ The more moderate slavery men were willing to admit California immediately, should this proposition be accepted.¹⁰⁰ But the ultra southerners were not willing to go that far. Butler pointed out that as soon as California were admitted as a state she would pass from the jurisdiction of Congress, and mere advice would then have no obligation upon her.¹⁰¹ Davis, of Mississippi, pointed out that the territory cut off from the state of California, would carry with it the fundamental laws of the state of California together with the clause which prohibited slavery. The territory would then be free soil. He would therefore agree to nothing less than the reduction of the limits of California before the state was admitted.¹⁰²

Various other propositions were made in the Senate. On August 6, Yulee offered an amendment as a substitute for the whole bill. The substitute proposed to recognize the existing government of California as a provisional territorial government, continuing its laws and officers at the expense of the United States. It also proposed to limit the southern boundary of California to the parallel of 36° 30', authorizing the people within these limits to vote upon the question of state or territory. Should a majority of the people vote in favor of a state government, Congress should then authorize the calling of a constitutional convention, and when the constitution should prove acceptable, the state would be admitted into the Union. South of this line of 36° 30' a territorial government was to be erected without the Wilmot proviso.¹⁰³ Having little confidence in the success of such a measure, the southern senators began to resort to filibustering tactics: calling for adjournment, postponement, and similar methods. But in spite of this stubborn opposition, Douglas' bill finally passed in the Senate by a large majority of thirty-four to eighteen, on August 13, 1850.¹⁰⁴

Thus the long conflict in the Senate about the question of the admission of California had ended. But so strong was the resentment of the South against the passage of the act, that on the following day Hunter, of Virginia, presented to the Senate a "protest" signed by ten of the leading southern Senators. The purpose of the "protest" was to state the "reasons upon which we are willing to be judged by generations living and yet to come, for our opposition to a bill whose consequences may be so durable."¹⁰⁵ The Senate refused to enter it upon the journal.¹⁰⁶

On September 7, the House took up the Senate California bill. As soon as it

⁹⁹ *Cong. Globe*, 31 Cong., 1 Sess., App. 1485-86, 1505, 1510, 1511. This would cut off from California the districts of San Diego, Los Angeles, San Luis Obispo, and Santa Barbara.

¹⁰⁰ *Ibid.*, 1511.

¹⁰¹ *Ibid.*, 1511.

¹⁰² *Cong. Globe*, 31 Cong., 1 Sess., App. 1512-13.

¹⁰³ *Cong. Globe*, 31 Cong., 1 Sess., 1523. App. 1158 *et seq.*

¹⁰⁴ *Cong. Globe*, 31 Cong., 1 Sess., 1573. All the nays were from the slave states. Of the thirty-two Democrats present when the vote was taken, seventeen voted for the bill and fifteen against it. Of the eighteen Whigs present, only three voted against it.

¹⁰⁵ *Ibid.*, 1578.

¹⁰⁶ *Ibid.*, 1588.

was read there was a contest for the floor. Thompson, of Mississippi, offered a substitute, proposing to admit California with her southern boundary limited to the line of $36^{\circ} 30'$. The admission was to take place only after California had agreed not to interfere with the primary disposal of the land. For the residue of the territory south of the line of $36^{\circ} 30'$, there was to be organized a territorial government. In return for the loss of territory the state of California was to receive the unexpended money of the "civil fund."¹⁰⁷ The author of the bill condemned the action of California, as a "political movement conceived in fraud," and carried out in fraud. He warned the House that the United States was in danger of losing the public lands in California, where a number of squatters had already settled upon them, and the state government was taxing the people for the use of government land. Soon, he said, California would begin to claim all the mines and arable land. The distance from the seat of government and the constant yielding to their commands would embolden them, even to threaten independence.¹⁰⁸ But it was of no avail. Thompson's substitute was rejected; the Senate bill then passed the House by a vote of one hundred and fifty to fifty-six. Two days later, September 9, President Fillmore signed it.¹⁰⁹

When the California Senators and Representatives presented themselves to be sworn in, they were met with a long constitutional debate on the right of seating them. The right of the California Representatives-elect to seats in the House was contested on the ground that there was much irregularity and unconstitutional action in reference to their election; that they had been elected contemporaneously with the members of the legislature contrary to Article one, section four of the United States Constitution, which provides that the time, places, and manner of holding elections for Senators and Representatives shall be prescribed by the legislature of each state.¹¹⁰ On September 10, however, the Senators-elect from California, Gwin and Frémont, took their oath of office. On the following day Gilbert and Wright, the Representatives from California, took their seats in the House. California was now a state, fully represented in both houses of Congress.

California Impatient. The act admitting California into the Union became a law on September 9, but the glad tidings did not reach California until the eighteenth of October. Meanwhile California was becoming more and more impatient with the delay in Congress. The people in California had not anticipated such a long delay. They had generally believed that their brethren in the east sympathized with them, and would hail with joy their efforts to solve for themselves their own social organization by the adoption of a state constitution. They

¹⁰⁷ *Ibid.*, 1770.

¹⁰⁸ *Cong. Globe*, 31 Cong., 1 Sess., 1770.

¹⁰⁹ *Ibid.*, 1772; United States Statutes at Large, IX, 452-53. All the northern members voted for it. Of the slave holding states, Delaware, Maryland, Tennessee, Kentucky, and Missouri gave a majority of their votes in favor of the bill. South Carolina, Georgia, Florida, Alabama, Louisiana, Texas, Mississippi, and Arkansas voted unanimously against it. The news of the passage of the California bill was celebrated in Washington by firing one hundred minute guns, and a display of fireworks.

¹¹⁰ *Cong. Globe*, 31 Cong., 1 Sess., 1779. Also in the Senate obstacles were placed in the way of the Senators elect from California, upon taking their seats.

earnestly believed that no serious obstacles would be made in Congress to the admission of their state into the Union. They laid great hope on the northern, western, and moderate southern members of Congress.¹¹¹ Hence, when one steamer after another arrived without bringing the news of the admission of California, the people became impatient, and rebellious feelings were frequently manifested. Resolutions in relation to the admission of California were considered in both houses of the legislature.¹¹² Under a joint resolution of both houses, a committee was appointed to draft an address in relation to the admission of California.

On April 22, the committee reported an address "by the People of California to the Citizens of the United States." After assuring the American people of the loyalty of California to the Union, the committee went on to recite the claims and grievances of their state. It claimed that California was experiencing "less favor from our own countrymen than from the rest of mankind"; that while her golden valleys, mountains, and institutions were "calling forth the admiration of the nations of the earth — *its* people congregated here from every part of the Union — *Americans*, all are made the subject of bitterest debate and most reckless legislation in the Halls of Congress." The committee then proceeded to assert the inalienable rights of the people of California to determine their own institutions:

We are not altogether ignorant of the natural and inherent rights of a people, nor of the inalienable rights of man. We proudly turn to the early struggles of free-men for these rights, and point with admiration and gratitude to the great men of the Revolution, who so illustriously defended and firmly established them . . . Our early education taught us the paramount importance of these rights . . .

. . . We say that, though young in political existence, we are old in political rights; we repudiate the construction that we must remain for a number of years in apprenticeship, before we may properly and constitutionally memorialize Congress to admit California into the Union . . . We solemnly deny that Congress has the power to exercise any political jurisdiction or authority over *the people* of California, even under the construction, that, in contemplation of the Constitution, this country is a territory, and not a State, of the Union.

The committee then concluded the long address by declaring that California will no longer "attempt any supplication," and Congress was asked to let the people of California alone, in case their state was refused admission into the Union.¹¹³ The address was laid on the table. Nevertheless, to many of the sentiments expressed there, the majority of the people of California would undoubtedly have subscribed. For such sentiments had been expressed again and again on various occasions. In an editorial under the heading "California Still Out of the Union," the *Sacramento Transcript* said:

We can not understand to what this delay is owing. Our friends at the coast certainly must know what the disposition of California is. If independence and individuality, are characteristics of the American people, the very essence, the very personification of self reliance is to be found in the length and breadth of California.

The past conditions of things here has fostered this feeling . . . our populace have been compelled to depend upon themselves. . . .

The consciousness once spread throughout the people that they can depend upon themselves with safety, has forceably acquainted them with the tremendous strength that lies latent among them, which increases still more the feeling of self-reliance Their opinions are heard at the corners of our streets, they stand in all their

¹¹¹ San Francisco *Pacific News*, Sep. 15, 1849; San Francisco *Alta*, Dec. 6, 1849; Memorial to Congress, XXII. In Browne, *Debates*, App.

¹¹² Cal. Legislature Journals, 1850, 373, 374-75, 1225, 1226.

¹¹³ Cal. Legislature Journals, 1850, 1277-83.

vigor in our public assemblages and every tone of their voice speaks of independence, of calm determination, and of self-reliance. . . . Our isolated condition as a State has added much to the prevalence and strength of this feeling. And not only our isolated condition, but our distance from the seat of government has had its effect also. We know that Congress could do but little for us, that much time must elapse, before aid could be expected from that quarter at all. . . . With all this before us, we took care of ourselves, and if worse comes to worse we feel that we can do it again. It is impossible for Congress to govern us at arms length. If they wish or expect to keep us, the great Pacific Railway must be built.

We are conscious of our intelligence and our capacity to defend ourselves. . . . California will in less than five years time make herself felt among the nations of the world, either directly as a free land, or indirectly by her stern independence of feeling.¹¹⁴

A movement was formed among many of the most influential citizens of San Francisco "to give expression to their opinions touching the delay of Congress in admitting us [California] as a State."¹¹⁵ At one of these large and enthusiastic meetings held on Portsmouth Square on April 25, the officers of the federal government were stigmatized as "blood suckers," and the speakers declared that California should assert and maintain her independence as a state even should Congress refuse to admit her into the Union.¹¹⁶ Colonel John B. Weller, a future governor and United States Senator from California, was one of the leading spirits of this movement. It was claimed that at one of these meetings Weller advocated the seizure of the revenue in the vaults of the United States custom house, in case Congress should refuse to admit California into the Union.¹¹⁷

The *Alta* and the *Pacific News*, although thoroughly in accord with the sentiment that California must defend her existence and maintain her sovereignty as a state in the event Congress should refuse to admit her into the Union, were opposed to any attacks upon the federal officers. "Until the action of the Congress at Washington," said the *Pacific News*, "shall compel us in self-defense to abjure its authority, they [The United States officers] must be regarded as a part of our government, and entitled to our respect."¹¹⁸ But as time went on, and California was still not admitted, the press became more impatient. California, said the *Pacific News*, is an empire by herself, and "with the thunder voice of one born to command, she asks to be admitted as a sister State of the Union, or she will stand upon her reserved rights, and bid defiance to those near sighted political gamblers who have refused what she had a right to demand."¹¹⁹

Radical expressions in the California press, and occasional sensational reports from correspondents on the Pacific Coast, were eagerly taken up by some of the eastern newspapers, who magnified the disloyal sentiment in California. It was told that an independent government was to be formed in California, and the state authorities had demanded from the collector of the port of San Francisco that he turn over to the state all the money in his possession which had been collected under the revenue law.¹²⁰ California, said the New York *Herald*, "has

¹¹⁴ Sacramento *Transcript*, April 20, 1850.

¹¹⁵ San Francisco *Alta*, April 25, 1850; Sacramento *Transcript*, May 4, 1850.

¹¹⁶ San Francisco *Alta*, April 27, 1850; San Francisco *Pacific News*, April 26, 1850.

¹¹⁷ San Francisco *Alta*, April 27, 1850; Nevada *Journal*, Oct. 26, 1860.

¹¹⁸ San Francisco *Pacific News*, April 26, 1850; San Francisco *Alta*, April 27, 1850.

¹¹⁹ San Francisco *Pacific News*, May 29, 1850.

¹²⁰ San Francisco *Alta*, June 25, 1850.

drawn the sword, thrown away the scabbard, and seems resolved to be the first State or territory to commence the serious dissolution of the glorious brilliant confederacy."¹²¹ Commenting upon it, the *Sacramento Transcript* asserted that California was loyal. But Congress refused to give her protection, though it had taken care to "suck" from the people, their money. "Is this anything more than taxation without representation? . . . What was it that our forefathers fought for?" asked the *Transcript*.¹²² The *Pacific News*, a Democratic paper, did not hesitate to declare that when the proper time comes, and

If the State of our adoption was to be benefitted by setting up an independent Government, without committing a wrong towards the States, we should not hesitate to advocate such doctrines, even though at the risk of being denounced as traitors or utterers of "treasonable sentiments," by political papers in the States who from distance and ignorance of our affairs, cannot appreciate the disastrous consequences to the people of California by staving off the question of admission.

Suppose California *should* form an independent Government—and we trust our New York contemporary will discover no "treason" in the bare supposition—what a spectacle she would present! We should indeed be a nation "born in a day" the wonder and admiration of the world. Through her mineral resources, California would become the richest nation on the face of the globe—the grand attractive circle upon which all eyes would be fastened as if by enchantment. Her institutions would become permanent, the Government strong and lasting, impregnable in its own defense and faithful to freedom and equality. We should collect and expand our own revenues, without a distant power sending us an officer to perform that pleasing duty for us and locking up, at five per cent a month, an amount of treasure sufficient to pay off our indebtedness!¹²³

As time advanced and one steamer after another arrived without bringing the news of California's admission, the people began to complain more frequently. In the present case, said the *Alta*, patience is not a virtue to be rewarded. In this condition of things it "would be well enough for our citizens to reflect upon the best course to pursue . . . Some have spoken already of a separate and independent position, though as a matter of necessity and not of desire."¹²⁴ The *Sacramento Transcript*, discussing the situation, declared that "there is a point beyond which endurance is no longer a virtue." It asserted that California will never submit to be dismembered by the extension of the Missouri Compromise line to the Pacific coast. It warned Congress to hasten action before California herself decided the whole question of her existence.¹²⁵ The *Evening Picayune* declared that if Congress should refuse to listen to the demands of California, then the State would become independent of the Union, adding:

By thus having practiced towards us the treatment which those from whom we sprang experienced from their mother country, they have ventured to provoke the spirit of independence which is in every American bosom; and it would not be a fault to be chastised by any just visitation of superior power, if that spirit should work out in demonstrations as decisive as were exhibited by our oppressed ancestors. No people can live under the uncompensated exactions which have, for two years passed, been forced upon us; and the people are with great plausibility, familiarizing their minds with the idea, long entertained and boldly promulgated, before the close

¹²¹ Quoted in the *Sacramento Transcript*, June 27, 1850. Representative elect Gilbert inquired about the veracity of these reports. He urged the people to desist from committing any revolutionary act, which would still more embarrass the California delegation to Congress, who were waiting in Washington to be admitted to their seats. *San Francisco Alta*, June 25, 1850.

¹²² *Sacramento Transcript*, June 27, 1850.

¹²³ *San Francisco Pacific News*, Aug. 27, 1850.

¹²⁴ *San Francisco Alta*, Aug. 17, 1850; *San Francisco Courier*, July 23, 1850.

¹²⁵ *Sacramento Transcript*, Aug. 24, 1850.

of the Mexican war, by those new in the places of executive power and legislative influence at Washington, that, united with Oregon, and with the inevitable extension of our influence on either hand of us, we may build up here a great western Republic, independent of all the world outside. If this idea is treasonable or revolutionary, it is one forced upon the minds of our people, by the necessities in which Congress have presumed upon the right to leave us. It is, and may be for a little longer suppressed, but we think it right and proper that it should be known and appreciated in all the States, with which we would gladly be united, that it exists, and is every day being more firmly rooted and is liable to be, under any very considerably greater provocations, a practical one.¹²⁶

A letter to the *Transcript*, signed Madison, reproached the press for spreading revolutionary sentiments which were dangerous among a heterogeneous population; and recent sojourners, many of whom were of an adventurous type, or with minds "soured by disappointment." The writer admitted that the complaints of the press were justified, but the utterance of the truth, he said, is sometimes impolitic, particularly in California. As an indication of the seriousness of the situation, he quoted from one of the newspapers to the effect that there were designs, in California, "looking to the creation of a separate Republic on the shores of the Pacific. That a number of *secret meetings have been had* on this subject," at which "persons high in official power were represented."¹²⁷ The *Transcript* admitted that the situation was very delicate and that doctrines of independence were openly advocated on the streets.¹²⁸

The reason why California was so anxious to be admitted is plain. Every new state or territory is in need of federal aid. But in the case of California the need was much greater than elsewhere. Here was a large and growing community with a growing commerce. California was in need of internal improvements; she was in need of special legislation. Moreover, until the status of California was definitely decided she could not borrow money on favorable terms.

Great was the joy, therefore, when on October 18 the long awaited news of the admission of California was announced in San Francisco. It was about noon time when the "Oregon" decorated with flags from bow to stern, and the words, "California has been Admitted!" painted on a broad canvas stretching from mast to mast, entered the Golden Gate, while firing her guns in honor of the great event. Immediately the glad tidings flashed through the city of San Francisco. Old and young thronged the main streets, discussing the great event, and reading the news in detail in the extras issued by the *Evening News*. In the evening the occasion was celebrated with illuminations, rockets, drums, and the firing of guns. Everywhere the common expression was, California is now a sovereign state, a member of the Union.

¹²⁶ San Francisco *Evening Picayune*, Sept. 14, 1850.

¹²⁷ Sacramento *Transcript*, Sept. 24, 1850.

¹²⁸ Crosby corroborates this statement. He believed that there would have been trouble, and probably an independent republic on the coast, if Congress had adjourned without admitting California. "Early Events," 52, 57. MS Bancroft Library.

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CHARLES E. DE LONG

From a photograph taken in 1860, in the possession
of the Masonic Lodge in Marysville.

(See entry for April 15, 1860)

"CALIFORNIA'S BANTAM COCK"

THE JOURNALS OF CHARLES E. DE LONG, 1854-1863

Edited by Carl I. Wheat

(CONTINUED)

THE JOURNAL FOR THE YEAR 1860

EDITOR'S NOTE

The year 1860 dawned none too rosily for young De Long. Defeated for the State Senate at the election of 1859, in which the entire Anti-Lecompton Democratic party had gone under, he turned actively to the development of his law practice. His office in Marysville continued, however, to be the headquarters for the "Douglas Democrats" of the region, and he was not the one to eschew for long the delights of politics.

The youth continued his journal as industriously as ever, but it was inevitable that the matters of everyday life which he was now forced to record lack in the perusal somewhat of the unusual character of the earlier occurrences, which were set forth during the years when he was struggling for a living in the mines and painting — in terse daily entries — an unequalled picture of the life of the "middle period" of California's development.

To the close of 1859, with its record of fierce political struggle and of Broderick's dramatic death, the journal has here been set forth in full. Now, however, as De Long enters upon a period of rather humdrum life, it seems unnecessary to follow him so closely day by day; the year 1860 will therefore be here recited in outline only. Complete copies of the journal for these later years have, however, been deposited with the State Library at Sacramento and with the California Historical Society, where they may be freely consulted by any who are interested in following the youth on his day-by-day life.

There was little gaiety for De Long on the first of January, 1860. He spent the day hard at work on his first big murder case. The trial came on on January 30, and two days later the young lawyer was triumphant in obtaining for his client a verdict of manslaughter only. It was a victory which plainly bespoke his youthful skill, and as the year progressed he grew more and more in his profession.

Elida was staying at the St. Nicholas Hotel with her sister Nellie, and almost every evening was spent in her company, until on January 17 she left for Parks Bar to stay with the Whitesides. On January 4, a letter came from "Octa, alias Gertrude, alias Camille," and on several visits to Sacramento De Long saw this young woman who had placed such an imprint upon his life. Another "charmer," little Laura Trego, who lived with Mr. and Mrs. J. B. McDonald, figures frequently in the journal, and occasionally Charley visited his old friends, the Singer girls. A Miss Buckmaster, a teacher, became his chum and confidante during this year and seems to have influenced him strongly. He speaks of thinking of her as "a sister,"—"high-toned, loving and intellectual."

Politics continued, however, to be his all-absorbing hobby, and his office became the rendezvous of the "Douglas Boys." On September 1, the County Convention nominated him for State Senator by acclamation, and throughout the year he had frequent communications from Senator Douglas. He was elected State Senator on November 6, being the only successful candidate of his party in Yuba County.

A "sparring school," a gymnasium and a fencing class took his interest, along with the Warrens, Marysville's leading fire company. During the year he also joined the Odd Fellows and became a Mason, entering enthusiastically into the activities of both of these fraternities. He was also active in the "Marysville Rifles," the leading military company of the region.

The theater continued to be De Long's chief intellectual recreation. The leading actors and actresses of the nation were appearing in California, and James Stark, Julia Dean Hayne, the Marsh Troupe of child actors, and many others played in Marysville. Few were their performances which the youth missed.

In this selection of but a few entries from among those of an entire year, and in the omission of portions of single entries, some warping of the picture presented by the diary as a whole is inevitable, since only the more unusual, dramatic or permanently important elements of the journal are retained. "Adventures in the paths of love" as De Long called his affairs, are thus magnified out of proportion to their actual place in the youth's day-by-day life, and caution must therefore be exercised in judging him and his actions. The same is true of other phases of his life. Taken as a whole, the episodes of 1860 served to prepare him for the stern political excitement of 1861, in which he played an important part.

JANUARY 1860

Sun. 1, — . . . but little gaiety going on. Spent most of the day in studying the law of insanity and preparing to enter that plea and defend Mc Kinny for the murder of Rice on the same. Wrote out a remonstrance against the Removal of the Warren Engine Co. to the House of the Hook & Ladder Co. In the evening called on Elida and remained until about 10 . . . came down set a little while in the Gem¹ and then came over and went to bed. — Had an alarm of fire took (to) the sidewalks and had a big run.

Wed. 4. — . . . reced a letter . . . from Octa, alias Constance alias Gertrude alias Camille;² answered it and wrote to Ballou³ & enclosed the one to her . . .

Fri. 6, — . . . reced some papers from Douglas and a letter from Aunt Helen telling me of *Frank's death*⁴ in the evening went to the theatre with Elida and saw Mr & Mrs Stark play Napoleon the Great. also staid to see the Farce of the Bull in China and had a good laugh.⁵ . . .

Fri. 13, — . . . paid \$15⁰⁰ to Spring for my sparring gloves, and paid French 5⁰⁰ for my gymnasium practice for the month to come.⁶ — went up to jail and saw McKinney playing crazy with a little basket filled with provision hanging up before a picture of a Cow. . . . Latham elected Senator and the Weller men as mad a thunder.⁷

Sun. 15, — . . . Spent the evening with Elida in the St. Nicolaus [sic] parlour. we had a chat about Washoe, but finally concluded to remain here.⁸ I find that I am loving her oh how dearly

Wed. 25, — . . . Bought some books of Wagner⁹ paid him \$87.⁵⁰ for them. This I intend shall be the foundation of a fine library: adopted the double Key as my mark,¹⁰ and thus marked them all. . . .

FEBRUARY 1860

Thu. 2, — . . . took lunch at Tom Taylor's with Tom[,] his wife and Miss Buckmaster^{10a} . . . commenced boarding there Settled up at the Merchant's in the evening went with Mrs. Taylor, and Miss Buckmaster to hear Miss Munson lecture on Spirit-home¹¹ Escorted the ladies home and had a game of euchre.

Sun. 19, — Arose after a troubled sleepless night with a dull neuralgic headache . . . laid on the sofa awhile up home and Miss Buckmaster stroked my forehead, for a long time. . . .

Tue. 21, — Had an immense fire during the night burnt out Eckart & Johnson's Stable[,] Tom Taylor's store, Mrs Hartshorne's Millinery store and a dwelling house worked very hard at the fire for about two hours and a half . . . Warrens got on the first water¹² . . .

Thur. 23 — . . . reced a telegraphic dispatch from *Gertrude summoning me to her Court on to morrow.* prepared to leave on the morning boat.

Fri. 24, — Took the morning boat the James Blair and started for Sacramento arrived about noon; went immediately around to Gertrude's and was surprised to find her husband to welcome me; passed the matter off as well as possible. She looked charming, and as I left slipped me a note of instructions, went up to the State House a few moments; then came down to the

Casco, met all the old folks, and also Gertrude and of course her husband. had an opportunity to whisper to her for a moment agreed upon a signal for to-morrow and parted. remained at the Casco all night.

Sat. 25, — About nine O'clock took a stroll passed by Gertrude's[,] saw the promised signal and walked in and waltzed in. After going through a criticism of about an hour, had a delightful time until nearly noon. — then left, went up to the Capital [sic] . . . Went down to the Casco met Gertrude at Mrs C [allahan]'s room and we three had a splendid time¹³ went to a fire[,] played cards &c. had one of the grandest evenings ever spent. waited upon her to the house Mrs. C — bade her good night in a loud voice so that he might think she was her only escort.

Sun. 26, — Got up early took the boat. . . . got off at Nicolaus with Decker[,] Dr Underwood &c and came up with Harry Leland — . . . Miss Buckmaster and I had a long chat she suspects my true character and called me Burr.

Tue. 28, — . . . had a spiritual circle and I was influenced. Rowe[,] Ransom[,] Dr Underwood & Hughs at the table thought very strange of the affair¹⁴ . . . was retained by an Irishman to attend an assault & battery case for them[,] also by some ladies of pleasure for a cutting affray

MARCH 1860

Tue. 6, — . . . in the evening laid on the sofa with my head in Miss B [uckmaster]'s lap and had it rubbed and tended nicely. . . .

Wed. 7, — . . . reced documents from Douglass & Haun.¹⁵ reced a serious letter from Elida and wrote her a long serious one in return

Thur. 15, — . . . felt a severe schock [sic] of an Earthquake. which sent me and Rowe rushing from our office¹⁶ . . . in the evening attended the citizens meeting and make a speech. large attendance committee appointed.¹⁷ . . .

Sat. 17, — took the stage and went up to Park's Bar . . . had a good time. Set up until late and had a long talk read a letter from Lide's Father in which he recommended that I should go to Washoe, & promised us a start in life in the fall. . . .

Sun. 18, — Got up early and started on the stage for home. . . Jim Hitchins called on me in the evening he was on his way with a party headed by French for the Mono Lake Silver Mine Country.¹⁸

Thur. 22, — . . . reced a letter from Illinois. Mr. Keleiner [?] a lawyer who closed by saying God[,] Liberty and the Republican Party. Answered same by saying Douglass, Liberty and God.

Thur. 29, — Started for Nevada [City] on the Stage. raining by spells all day, the roads in a horrible condition on the way through Timbuctoo learned that Horace Jeffries was seriously or fatally injured by the caving of a bank — arrived in Nevada about 4 O'clock tired and wet. went up to the Clerk's Office

looked over the papers in the Garharst case was sadly flurried to know what to do in the premises as this moving for a New Trial was new business to me. . . .

Fri. 30, — Went around to McFarland's Office met Mc and Palmer¹⁹ talked over the case with them went up and got the papers . . . Met Belden.²⁰

APRIL 1860

Sun. 1, — Picked up an anonymous letter relative to my last night's adventure. danger brewing must trust solely to my two most powerful allies[,] impudence and luck²¹. . . .

Tue. 3, — . . . Went to trial [at Colusa]; after the testimony for the prosecution was through I introduced a host of witnesses to contradict & impeach Doan the complaining witness: done it so effectually that the Court stopped the examination and the Dist Atty Major ——— entered a nolle & dismissed the prisoner much to the disappointment of a large crowd who had assembled to hear me speak. In the evening attended the Lyceum & mad[e] an argument in the negative of the question do the Signs of the times indicate disunion. Montgomery for the affirmative.²²

Wed. 4, — . . . started for home drove down to the Slough found the rope broke & ferry stopped and had to return to Colusa — got lost on the way back and drove for a long time in the woods. . . .

Thur. 5, — . . . Started again for home; found the whole country almost a sea. found the ferry still dismantled, but got on board with my horses & buggy & poled across a rough sea. got home safe.

Sat. 7, — . . . took the Stage for Park's Bar; . . . found all the folks well and my sweet little charmer [Elida] as beauteous and kind as ever; set up in the evening until late with her, talked of everything renewed our oft pledged vows. — found her firm as a rock in our new formed resolutions & loved her the better for it whilst I contemned my own weaknesses.

Sun. 8, — Took the morning stage. . . . in the evening set up until quite late with Miss B[uckmaster] we had some very confidential conversation; was much pleased with her; I respect her as a sister[,], kind[,], high toned[,], loving and intellectual

Thur. 12, — . . . Mitchell and Montgomery had a fight. Tom Taylor started for Washoe. . . .

Sat. 14, — . . . Col. Vineyard in town had a long talk and a walk with him, talked some of business, some of politics, and some of *houses and lots*. he went up to Park's Bar on the Stage. . . .

Sun. 15, — . . . took a long walk with Miss B——. Spent the evening until late up there had a fine time with her. took my picture[,], large size[,], taken by Heath up there it was much admired and Mrs Taylor spoiled the biscuit by dropping too much saleratus in them in the height of her enthusiasm over my lips. . . .

Sat. 21, — Attended the District Court [of Nevada County] Judge Searles presiding²³ had the statement settled and affidavits admitted all right the opposite Attys McConnel & Garber²⁴ then moved for and obtained a continuance . . . took a stroll all around town. met some pretty ladies and saw some pretty residences and yards; in the evening nearly all the men in town joined in a general game of foot ball in the street²⁵

Mon. 30, — Attended Court in the forenoon Montgomery read affidavits in case of John Kelleher, of Howell Davis charging me with falsehood. took

Mr. Davis out of the Court room to talk with him about it, when he drew a knife and stabbed at me. quite a fuss and a sensation.

MAY 1860

Tue. 1, — Got Brown Bill and a buggy and went to Park's Bar. met Elida blooming as a rose. drove up to the top of Bald Mountain²⁶ and had a pic-nic, dancing, eating, &c. had a pretty good time though not a large crowd . . . went to Long Bar to a dance . . . took Elida home . . . and made Marysville at four O'clock. . . .

Fri. 4, — Took the Stage [for Nevada City] . . . rode outside until it commenced storming very hard, then got inside the stage full four ladies inside. on the way up got up a telegraphic communication with one, by tangling feet. . . . could get no introduction and could not find out her name, my charmer got out at Grass Valley. I went on up to Nevada my head filled with imaginings as to how I should ever find her out . . .

Sat. 5, — Argued my motion against McConnell and Garber, for four hours felt that I had done myself and case justice. . . . took the afternoon stage and came down to Grass Valley to hunt up my charmer bought a handkerchief to return to her as her's and form an excuse for calling on her Called at her house, found that she was at her mother's Hotel went there with Byrne found she was unwell, could not see her, left the handkerchief with Byrne²⁷ for delivery to Mrs C——; was invited around to a saloon, met a large crowd and had a hard old spree which lasted until nearly morning . . .

Tue. 8, — . . . learned the news that Herman [?] had won the fight and that Douglass was having the Charleston Convention all his own way²⁸

Sun. 13, — . . . in the evening great excitement in the town owing to the news received of a massacre in Washoe of sixty men. Minor [?] Baldwin and Ormsby.²⁹ The Rifles drilled. tendered their services were addressed by the Mayor &c. have serious fears for Genl Rowe & Wallace . . .

Mon. 14, — Turned out and drilled with the Rifles . . . recruiting going on lively. wrote about a thousand letters . . . the excitement about Washoe and the Charleston Convention very great. I was elected 2nd Brevet Lieutenant of the Marysville Rifles.

Tue. 15, — . . . news from the Charleston Convention that it had broken up arrived,³⁰ — in the evening news that the Indians in immense force had advanced as far as Sierra Valley reached here and immense excitement ensued. Citizens called a meeting our Company drilled and marched to the Water Works Hall³¹ and tendered our services to the Committee and then marched back to the Armory, — the Governor telegraphed to us that we would not probably be wanted.

Wed. 16, — . . . Stirring news about, had guard on our Armory to prevent the Rangers from stealing our guns. in the evening had a drill and a parade. mounted guard over night, . . . and stood guard for awhile in the Armory myself.

Thu. 17, — Assembled in the morning got no report from the Committee, and gave the whole thing up. boxed and stored our guns. . . .

Mon. 28, — . . . went into the trial of Harrison Van Alstine's case. was all

the afternoon at it. his mother sat weeping by. after supper and before the theatre the jury returned a verdict of not guilty and my rich fee was the flood of a Mother's tears this was the only fee for defending him successfully for eight months, but it was the richest one I ever received. together with his assurances to ever follow the paths of virtue. In the evening took Mrs. Taylor to the Theatre to see the Marsh Children play the Naiad Queen.³² . . .

Thu. 31, — . . . chewed no tobacco during the day and swore off for good.

JUNE 1860

Sun. 3, — Took the Boat and arrived in Sacramento without adventure went to the Casco. wrote a letter in figures to Gertrude signed Mrs C[allahan]'s name to it and sent it to her hotel the G[olden] E[agle] reced a reply note informing me that the note had been received by her husband and he had deciphered the whole and that we were in danger. felt terribly sold. — Mrs C shared my consternation in the evening Gertrude stole out and came down. saw us a few moments and went back Mrs C and myself put on a bold face and went up in the evening and called on her and her husband; he received us with freezing gentility. . . .

Mon. 4, — Went up and called on Gertrude a few moments in the morning[,] then went to the Supreme Court — remained a few moments and then returned to the Casco, found Gertrude there. She remained there all the day, and in the afternoon we had a huge Champaign, Strawberry Lunch . . .

Tue. 5, — . . . called on Gertrude and was informed of a secret arrangement; left passed in by the back way *and spent a delightful short time in her Society* — bade her good bye and left for the Supreme Court. . . .

Wed. 6, — Judge Haun died very suddenly.³³ — received notice that I was elected to the Masonic order.³⁴ . . .

Sun. 10, — . . . took the Stage and went up to Park's Bar . . . Slept in my little alcove and as usual I found the prettiest of bouquets at the head of the bed and lemon verbena under the pillow . . .

Tue. 12, — . . . went to the theatre in the Evening Saw the Panorama of California,³⁵ took Mrs T[aylor] *had a fine time*; took a dish of strawberries on our return. . . . Belcher accompanied Miss B[uckmaster] . . .

Mon. 18, — . . . Saw her [Elida's] private diary and found in it the key to her secret feelings. She loves me truly fondly and I am all hers.³⁶ . . .

Tue. 19, — . . . turned out with the Warrens and the balance of the Fire Department met our Company above the boat landing Escorted them to the Eureka and had a collation and a great time. Made several speeches &c.³⁷ — in the evening was initiated into Corinthian Lodge F & A M was highly pleased with all I saw & heard: my former high opinions of the order are fully realized. — Met Paxton, the Belchers[,] Billy O Neil, Billy Swain, Moore and a number of others of my old acquaintances there as members. . . .

Thu. 21, — . . . Attended the Oriental Lodge (I.O.O.F.) and took the first and second degrees was very much pleased with the new information relative to the order that I then received. . . .

Sat. 30, — . . . Judge Bliss, Sharkey and Dr. Geller all pressed by their creditors: paid note for Bliss to John Kelleher of \$325.00 — which makes Four Hundred and twenty Five Dollars due me from Bliss. . . . Bliss sold me his mining claim at Dogtown³⁸ in Butte Co[unty].

JULY 1860

Sun. 1, — . . . I transferred my interest in the Bliss Claim to Barrett who went up to take it into possession to keep my creditors from getting it. . . .

Mon. 2, — . . . tried to learn my fourth of July speech and fear an awful failure. I heartily wish I was clear of the job.

Wed. 4, — Started about five drove up to Park's Bar got Elida drove down and crossed at White's Ferry. arrived at Smartsville about 11 O'clock, good turn out. Irishmen with their pikes and Hook & Ladder Co. from Timbuctoo. delivered the oration on Temperance Hill got along first rate — was presented with a fine bouquet by the ladies went down to Murphy's at Sucker Flat & took Dinner. . . . Spent the afternoon at Smartsville with Mr. & Mrs Lawson. had a display of fireworks went to the Union Hotel to a dance. I was chosen floor-manager. danced until daylight had a gay time. had to make peace with Elida several times for my flirtations and giving away my bouquet. love her oh how much for in a thousand ways to day she has proven her love to me. . . .

Thu. 5, — started for home just after daylight drove down without adventure, crossed at Long Bar, got to Parks'es before Carry was up. went to bed I slept in my little alcove fitted by Elida with lovely care. Slept until noon had a splendid dinner . . . made up all our little differences & just reveled in love. . . .

Fri. 6, — . . . went to Miss Poston's school to witness the ceremonies at the close of the term.³⁹ Susie Te[e]garden's Graduation⁴⁰ . . .

Tue. 10, — . . . Attended the Board of Delegates [of the Fire Department] and afterwards the Corinthian Lodge and was duly initiated as a fellow craft Mason. . . .

Thu. 12, — . . . took a Span of Grays and Jesse O Goodwin and drove to Oroville in three hours. Argued the case Bowen vs Aubrey et als against Filkins & Mesick and got a little the worst of the rulings. — came home and drove back in three hours. had a dance in the evening at Mrs Taylor's Miss Sally & May Tennent,⁴¹ [and] Miss[es] Hubbard, McLelland, Booth, Buckmaster, Teegarden & Mrs. Taylor formed the lady coterie. Messrs. Hubbard, Hite, Booth, Oneale, Fall and Belcher formed the gentlemen's coterie. . . .

Fri. 13, — . . . went to the races with Billy Oneale. Saw Morg Miller pace his ten miles in thirty three minutes and Sixteen and one half seconds:⁴² had an alarm of fire in the evening and as Hank Coolidge (who is present) says, we [the Warrens] got beat like hell. . . .

Sun. 15, — . . . read the pamphlet charging Baldwin Field & Co with corruption & chicanery⁴³ . . .

Mon. 16, — . . . news arrived of the nomination of Douglass & Fitzpatrick by

the Democratic Convention and of Breckenridge and Jo Lane by the Seceders we burnt some powder during the day and they in the evening.⁴⁴

Tue. 17, — . . . had a Douglass caucus could not agree very well as to our political course of action relative to State Convention. . . .

Wed. 18, — Arose early to see the Eclipse just caught a glimpse of it . . . in the evening the Breckenridge Democracy had a ratification meeting in front of the United States Hotel. Zack [Montgomery,] Hatch and others spoke they made a dull go of it.

Thu. 19, — . . . In the evening had a grand Douglass ratification meeting: Judge Reardon opened, Wheeler & Goodwin followed and I closed. had a very large meeting if this is any sign we are ahead. Dr. Hubbard was chairman; had lots of music, cannon and skyrockets, and all passed off in good style.⁴⁵ in the night and as I am writing a beautiful serenade is being sung on the balcony opposite of the St. Nicolaus and fellows applauding in the Street.

Sat. 21, — . . . attended a Republican ratification meeting at the Western Mr Weeks of Sacramento⁴⁶ spoke and he directed nearly all of his sayings immediately to me, good naturedly after the meeting we had a little free and easy. I went around and saw Katy a little while and then went up and saw the boys buck at Faro a little and bucked a little myself.

Thu. 26, — . . . Attended the Lodge I O of O F and took the Royal Blue, the Green and the Scarlet Degrees. the Oroville Brothers came in with a band of music and we met them and had a grand jollification.

Fri. 27, — Laying of the Corner Stone of the Odd Fellow's Hall, corner of Third & D Streets. procession formed. Oriental Lodge, Yuba and Bidwell Lodge of Oroville & visiting brothers I drove a carriage in the procession with Rebeccas. took Miss Laura Trego to the theatre and afterwards McQuaid[,] Laura & her sister Nanny to the Pavilion to the Collation.⁴⁷ was forcibly taken from Miss Laura[,] placed on the table and made to make a speech. took dinner with McDonald⁴⁸ & family; in the evening took Miss Laura to the Ball at the Water Works went home a little after midnight and in the doorway was granted two sweet little choice favors, never to be forgotten, — really fell in love with my little new found girl to day being the first day I ever spoke to her. This indeed has been a golden day in my book of life. The weather very hot. Rhodes of Oroville Delivered the oration. — Met in the Lodge Room. Rebeccas & Brothers & had a free & easy⁴⁹

Mon. 30, — . . . tried the case of McDonald vs Hall & Patton, against Montgomery fought it all day, and gained the case after a desperate struggle. in the evening took a walk with Miss Laura. Went first to an ice cream saloon, then walked up D Street and out E and over the bridge and back to Peri's⁵⁰ took some more cream and then came home with her and had oh such a delightful time in the parlor and out on the balcony. nestling love never fondled closer

AUGUST 1860

Sat. 4, — . . . took Miss Buckmaster over to Mr. Blodget's at the Buttes and went on to Colusa to fill my appointment found Montgomery & Linthicum



TImBUCTOO RESCUE HOSE COMPANY No. 1

From the original ink and water-color drawing made by George Barrington in 1860 and now on exhibition in the old express office and pioneer museum at Timbuctoo. Here reproduced for the first time, through the courtesy of its owner, Mr. John H. McQuaid, of Smartville.

there:⁵¹ in the evening about 225 men assembled and I was called to the stand I challenged Montgomery, who opened with a flaming speech and I followed; about fifteen Ladies were on the balcony, and the boys cheered and fired anvils lustily

I spoke until after midnight and according to appearances I had the crowd with me. after the speaking a lot of us got on a tight and kept it up till nearly morning

Wed. 8, — . . . was passed to the Degree of Master in the Corinthian Lodge No. 69, F & A M returned home with some of the Brothers. set out on the balcony took a smoke and had a good time generally

Thu. 9, — . . . took a buggy and went up to Park's Bar. Stopped at Col's Elida and myself got ready and then drove up to Timbuctoo and joined the Ball of the Rescue Hose Co. I took my uniform and several other Warrens being there we went in and stuck to it all night had a very fine party⁵² . . . Before I went had quite a time preventing Mrs Simpson from shooting Bob Turner⁵³

Fri. 10, — . . . Spent the evening at work in my office; until John Flattery came in and commenced talking politics he half inclined me to run for the Senate

Sun. 12, — Poor Brother Jim this is his birthday and to day as for Eight long years past thousands of miles separate us. My heart feels sad and my thoughts revert in gloom over the past and to my home. Brother[,] Parents[,] friends of my youth[,] in spirit I am with you and as I retire to night to you I will commend my sleeping thoughts⁵⁴

Mon. 13, — *My Birthday*. Worked in my office nearly all day, in the evening went with Miss Laura to the Opera and saw the English Troupe play Lucrezia Borgia⁵⁵ Miss Joey Phillips and Campbell sat beside me. After the opera went up to Peri's and took some cream. A large crowd were there. . . . went from there home, and as Laura locked the door, stole some of the sweetest of kisses; had an alarm of fire and thus passed 27 years; welcome 28 Within thy ides I'll strive to gain *wealth honor and a home. We shall see!*

Sun. 19, — . . . [Late in the afternoon] on coming up into my office, saw Elida over on the St. Nicolaus balcony. immediately went over and met her and her father [they being on their way to the Tejon Ranch] . . . took a walk with her . . . talked politics with the old man . . . Elida . . . seemed sorrowful and so we parted. She gave me Shakspear and a pair of embroidered shoes. After I got home we bid Adieu from the balconies.

Mon. 20, — . . . felt very sad and lonely every time my eye turned over to the St Nicholas and memory brought back the fair vision that had greeted me there the night before; in the evening bought Maher's half interest in the Feather River Ranch. . . .

Thu. 30, — . . . the Breckenridge County Convention met and nominated N E Whitesides for Senator [and] Loyd Magruder, Lawler, Knigh[t] Haun and Hanson for the Assembly — Many dissatisfied delegates swearing around town;⁵⁶ I am strongly importuned to run against Whitesides and a momentous question now in my mind is shall I run. — *I don't know* . . .

Fri. 31, — . . . Delegates from the County to our Convention arriving fast,

and all calling upon me and insisting that I shall run for the nomination of Senator, also the Republicans and other of my friends desiring me not to do so . . .

SEPTEMBER 1860

Sat. 1, — Went in a Buggy with Mr. O'Connor to the Douglass County Convention at Payne's Ranch:⁵⁷ Convention and a fine one assembled. I was strongly urged by nearly every delegate to the Convention to run for Senate and as strongly declined, but upon the convening of the convention Judge Reardon put me in nomination and I was unanimously nominated, for Senator I accepted amidst loud hurrahs — W Elwell, John Collins, L Burnett, Joel Stoddard and Judge Wm T Barbour was nominated for the Assembly. the Convention adjourned in high glee and my friends particularly full of Spirits⁵⁸ Slingerland staid all night with me. *Well here goes.* a life of ease and money making exchanged for one of strife for honor.

Thu. 6, — Met with the [State] Convention [at Sacramento] nominated Humphrey Griffith, Major Hammond, Don Pablo De La Guerra and Mr Price as Electors. adopted a Platform & adjourned sine-die;⁵⁹ in the evening went with Ballou and saw Octa . . . Spent an hour or two in mixed pleasure and pain; left for home with the Nevada [County] Delegation. left about 9 Oclock and arrived about 4 Oclock. the night chilly Came up and found two in my bed. crawled in with the pile & went to sleep

Fri 7, — Found the two I went to bed with gone and a new one in when I awoke — the town full of people, felt quite unwell; but went out to the Cattle ground, Met Gov Downey, accompanied him to the stand & witnessed the racing, bet on two races, lost the same amount on one that I won on the other; in the evening took Miss Laura to the theatre saw Stark play Richelieu.⁶⁰ it was beautifully played but I felt too sick to enjoy it, took her home and parted from her with the greatest affection.

Sat. 8, — . . . went to the theatre; came out after Laura found her just ready to go with John McQuaid which let me out and I went back. — Saw Stark play the Fool's Revenge, and an afterpiece entitled Uncle John the performance was excellent.⁶¹

Thu. 13, — . . . reced a very plain letter from Elida and wrote her a long confidential one in reply; *she asked me when, and I told her to say herself*

Fri. 14, — . . . was elected to the Chapter, F & A M⁶²

Mon. 17, — . . . in the evening the Warrens drilled and they threw [water] 205 feet & 5 inches through an inch nozzel and one hundred feet hose . . . heard the news from Oregon that Col Baker and Nesmit[h] were chosen U S Senators and the Breckenridgers seceded⁶³

Tue. 18, — . . . about five Oclock . . . got a buggy and got Judge Barbour and went up to Long Bar; found a large meeting assembled. Whitesides not there Reardan opened[,] I followed and Judge Barbour and Burnett followed me I spoke about two hours. — things look cheering a good deal of enthusiasm — the Ball is opened, the fight has commenced.

Wed. 19, — Started in the morning from Long Bar went to Park's Bar

down in the Claims &c. then up to Timbuctoo and staid until after dinner[;] then went to Smartsville and Sucker Flat and had the cursedest time drinking &c in the world, went into all the cabins and everywhere else. got started just at night from Timbuctoo called on Nin [Col. Whiteside] & Carrie came down & took supper at Col Zabriskie's and from there came on into town without adventure.

Sat. 22, — . . . attended the Theatre with Belcher, Miss Buckmaster and Mrs Taylor, and heard William H Rodes read his tragedy of The Mormon Prophet or the superstitions of the nineteenth century⁶⁴

Tue. 25, — . . . in the evening had a public meeting. Griffith[,] Nugent and Brosnan, and myself spoke,⁶⁵ after the speaking went up to Tom Reardon's and had a fine Champaign supper. . . .

Thu. 27, — . . . took a buggy with Wilson & went to Timbuctoo had a large public meeting Nugent[,] Brosnan[,] Reardon and myself spoke had a fine and an enthusiastic time of it; left for home about midnight arrived home safe Wilson pretty tight. . . .

Fri. 28, — . . . was advanced to the degree of Mark Master Mason in the Washington Chapter No. — . . .

Sun. 30, — Had a fine chicken breakfast[,] then drove through the Buttes around by Pugh's; through beautiful meadows & romantic passes and then home, after dinner called on Miss Laura and had a long chat through the evening with her, found her somewhat restrained. tried to bring her to terms but could not until I was about to leave angrily then she called me back and treated me heavenly. . . .

OCTOBER 1860

Thu. 4, — in the evening the Democracy met at the Club Rooms and were addressed by Mr. [R. P.] Hammond and Gen Jas. A McDougal⁶⁶ . . .

Fri. 5, — in the afternoon went up with Mr. Boynton to Timbuctoo Judge Barbour, Hammond, McDougal & McCorkle also went up; in the evening McDougal & Hammond spoke in the theatre. I attended a Ball at Landigan's, and had a devil of a time . . .

Sat. 6, — Slept until late in the forenoon[,] then took the stage and came down to Long Bar; slept in Dr Stones office until evening[,] then had a Mass Meeting Judge Barbour[,] Dave Haun[,] Myself & Col Whitesides spoke. Col was chivalric enough to claim the close; I left him speaking and came down with John Nugent, Mr Brosnan & George Staunton the night very dark I drove and pitched our quondam driver out. — had a rousing champaign supper at Videau's.⁶⁷ Gwin & Tilford spoke in the theatre McDougal gave Gwin the lie

9, — in the evening Gen McDougal and I spoke in the Theatre in reply to Dr. Gwin, the House was crowded, and if I ever I went in and got even it was then;⁶⁸ after the meeting I got on a train with the boys[,] made up with Pat Welch and had a thundering time . . .

Fri. 12, — . . . went to the [Strawberry] Valley and put up at Cap Ferguson's; the Eagleville boys came down and pealed the Anvil thunder until

the old woods echoed. Barbour and I spoke in the Hall and had a fine meeting.

Wed. 17, — About 10 O'clock went down and found Barbour at the Merchants' [Hotel] *incapacitated*. Started alone through wind and dust for Oregon Hill arrived there about night a large meeting of about one hundred assembled in the Greenville House, whom I addressed, and my remarks were received with a good deal of enthusiasm . . .

Thu. 18, — . . . went up to Stroud's and from there to Foster's [Bar] with Collins. Started up to Camptonville took Alvira Clay aboard and took her up⁶⁹ rode over to Young's Hill to see Tom Smith married to a *Hurdy Gurdy*⁷⁰ . . .

Fri. 19, — . . . in to evening spoke at the Town Hall [at Young's Hill]; Mrs & Miss Cowell⁷¹ were present as also Mrs. Hodge & Mrs Smith. had a large and enthusiastic meeting after which I had a long spree with the boys, and afterwards went to Slingerland's⁷² Cabin with Jim & Bob Logan. had an oyster Supper and set up late. Staid all night with Jim

20, — . . . Mr Kenyon and I went up to Brandy City on horseback through the rain; stopped with D O Adkison; in the evening the Douglass Club held a meeting and Mr. P———[?] and myself addressed them, & received a vote of thanks therefor, after which we all went to a hurdy gurdy dance then went and staid all night with Adkison

Sun. 21, — Started alone for Camptonville . . . went by Oak Valley & Railroad Hill got lost; afterwards found out the trail & went on; got over to Camptonville took Miss Alvira [Clay] and started for home; stole several precious favors from her. left her at home and pursued my journey through the mud . . .

Wed. 24, — . . . attended the Theatre and heard the greatest piece of political declamation of the tragic order that I ever heard emanate from any man come from E J C Kewen⁷³ . . .

26, — . . . Met Tom Jackson just home from the States; in the evening attended the Washington Chapter and was passed to the Degree of Past Master . . .

Sat. 27, — . . . Barbour, McDonald, Stoddard & Myself went out to Sewell's Ranch and held a meeting I spoke and while I was speaking Barbour got drunk and afterwards made a fool of himself . . .

Mon. 29, — . . . waited . . . in the dining room [at McDonald's Mill] until Whitesides got through speaking when I went up and biled [sic] in had a rough time of it, Dave Haun called me a liar during my speech, and I called him no gentleman, after which Collins and I had to listen to some rough language in the bar room . . .

Wed. 31, — Spent the forenoon at Smartsville and at Sucker Flat, in the evening. . . . went to see the girls met Miss Morea, Miss Murphy and others; it being Halloway's [sic] Eve, they played duck for apples, the ring game and others.

NOVEMBER 1860

Sun. 4, — . . . went to work and ran to every saloon[,] drinking shop and den in the third and fourth Wards. spent money like water and worked like a cuss . . .

Mon. 5, — Never spent such a day in my life. caught at every corner by bummers, and dunned for money, until I got almost black in the face; in the evening Gen Denver, Mr Briggs and myself spoke in front of the St Nicholas and B F Washington and George Penn Johnson spoke in front of the United States we both had large meetings but theirs was the largest;⁷⁴ I then paid out all the money that I had left and came home to bed. the labor of the campaign is past all but one day. the result is yet veiled by futurity. — during the day went up and saw Laura, Mrs McDonald and all the others and found they had all bet and were all laboring under the greatest excitement.

Tue. 6, — Arose early in the morning after passing an almost sleepless night . . . Got a hundred dollars of Billy O Neal and went to the 4th Ward and the fun commenced the most unusual excitement prevailed throughout the entire day; my friends worked with the energy of desperation; at nightfall my office was crowded with anxious men, messengers going and coming each minute with telegraphic dispatches from the County and news from the Wards set up until 3 O'clock, for the canvass to close. Marysville went Republican[,] Breckenridge next[,] but my majorities were 172 over Whitesides and 30 over Beach in the City. Bear River news & Sucker Flat came in adding largely to my majorities 222 ahead as far as heard from . . .

Wed. 7, — The office filled with excited men throughout the entire day the news put Beach out of the fight and made the race between me and Whitesides; betting was the order of the day the news was unfavorable from Hansonville District⁷⁵ and Slate Range Township; and at night from last accounts my majority was still one hundred and twenty-three. Whitesides in town but he did not call to see me but gave up the fight and went home.

Thu. 8, — Passed the day at home still surrounded by anxious friends & the excitement & betting on the State taking the upper hand from the certainty of my election and the defeat of the balance of my ticket. — in the evening the Warrens gave a grand collation to me. the whole of the House lit up, my photograph suspended from the wall outside surrounded with star candles; a fine feast spread and all the honors imaginable heaped on me. over four hundred set down and hundreds closed around the doors, after which I was taken out[,] placed on the engine and drawn by hundreds around the City cheering like mad; after which we had a dance & then a champaign spree in my office until long after midnight hours.⁷⁶

Fri. 9, — Arose feeling rather the worse for wear. still a crowd hung around my office with dispatches from the State. Bell nowhere, Breckenridge distanced and Lincoln just far enough ahead to keep the betting on the State between him and Douglass running high.⁷⁷

Sat. 10, — . . . in the evening called at Judge Singer's and spent the

evening had a fine time. Lincoln still a little ahead, and the Douglass men beginning to despair. received thousands of congratulations from my friends; began to suspect some intended unfairness on the part of the Board of Supervisors in canvassing the returns & wrote to all of my friends up in the country, for copies of the tally lists.

Wed. 14, — . . . watched the Clerks awhile in counting the votes and found all things going on right. News of the Republicans carrying everything in the Atlantic States reached here; in the evening the office was crowded with friends as usual; Mrs Vick came turned all the rest out and went to work on her business; remained up until late; and *had quite a high old time with her*, talking about marrying &c. the Republicans on a teaser, came up in my office and gave me three cheers.

Fri. 16, — . . . in the evening attend[ed] the Chapter took the Most Excellent Master's degree with Jim Lassiter. . . . the official vote was canvassed and I was declared elected Senator by a majority of seventy Two pretty good old number. Beaten [?] for the same position last winter [by] just Seventy Two.

Fri. 23, — . . . in the evening was exalted to the degree of a *Royal Arch Mason*; in the Washington Chapter with George Kirkaldie and Jim Lassiter threatening news of dissolution reached here from the States and some murmurs of an attempt at a Pacific Republic⁷⁸

Thu. 29, — Thanksgiving Day. turned out with the Firemen[:] Warrens[,], Yubas[,], Pioneers & Eureka Hose to meet the Rescue Hose of Timbuctoo; had a grand parade . . . then took Julia & Ella [Kennedy] to the Theatre to see the Paulin troupe play Uncle Tom's Cabin and some other pieces.⁷⁹ found out that it was a steamboat so we got up[,], came out[,], took a long walk & went over to the Hotel & spent the evening.

DECEMBER 1860

Thu. 6, — . . . in the evening went up to Judge Singer's; found the Judge away; Set up with Miss Annie alone in the parlor. had one of the greatest times out of jail a last appeal to rescind, and be happy with her; stood firm and left with a good understanding for the future⁸⁰ — . . .

Fri. 7, — . . . in the afternoon a crowd of us went out to view the site of the Reform School;⁸¹ came back[,], had a fine ride and racing[,], then went out to Judge Blisse's[,], got Miss Josephine and took a ride out by the Park; had a very fine time with her; she is indeed a sweet girl, — in the evening attended a party at Mr John C Fall's⁸² became acquainted with his wife and daughter [and] Miss Lucy Judd. also met Miss Hoge⁸³ she was extremely pleasant gave me a ring &c . . .

Wed. 19, — Was steadily in Court [at Colusa] all day trying the Potter cases; got the case to the jury about ten O'clock in the evening the jury retired and were not out but a few minutes when much to my gratification they returned with a verdict of not guilty, had a high time with the boys in the evening. Still storming and the River very high

Thu. 20, — Spent a dull blue day at Colusa unable to get my team across the Sacramento which was full up to the top of her banks; the storm abated

Fri. 21, — Staid at Colusa until after dinner[,] then took passage with the mail in an Express wagon and came home had a devil of a time crossing the slough &c had a lady on board. . . .

Mon. 24, — At home all day, the weather a little the cursedest and the Streets a little the damdest. worked nearly all day; in the evening called awhile at McDonald's Laura had gone to the Ball at Yuba City. came home Dr Wilkins came in went out with him and Benson had hot whiskey[,] cigars and oysters

Tue. 25, — At home, in the forenoon went around to McDonald's and got some egg nog which made me as tight as a brick in a few minutes came to the office the boys wrapped me up in a blanket and laid me on the sofa where I slept until night; then got [up] bought some little presents for Laura and Mrs Mc[Donald] and went around had a fine time got many a sweet little favor . . .

Wed. 26, — . . . got a letter from Elida which I did not much like and wrote a long mean aggravating reply⁸⁴

Fri. 28, — . . . had pretty good luck collecting in some money, . . . Campbell took Nanny and I took Laura to the Young Men's Calico party at the St Nicholas; danced until late and took home the girls got home long enough first to obtain in the friendly old hall under cover of darkness some of the sweetest little favors that ever beauty vouchsafed as loves gentle offering. attended the Chapter saw Gaither [?] initiated as a past Master, and then opened in the Royal Arch Degrees

Sun. 30, — . . . called at Judge Singer's and spent the Evening, met Capt King & Mr Stanwood there⁸⁵

Mon. 31, — . . . very busy in settling up doing business &c. in the evening took Miss Annie [Singer] and went to the Warren's Ball at the Water Works Hall was floor Manager the boys had decorated the Hall and placed my photograph beneath the bust of Broderick⁸⁶ had a fine time . . . Good bye old year I danced you out. a bright year in many respects in the history of my life have you proven old 1860

NOTES TO THE JOURNAL OF CHARLES E. DE LONG FOR 1860

1. The Gem was a saloon owned by F. W. Getzler, located on D Street, Marysville, opposite the Theater. (Advertisement in *National Democrat*, Jan. 1, 1861. See also Note 225, 1858.)

2. See Notes 119 and 127a, 1859.

3. S. A. Ballou represented Butte, Lassen and Plumas Counties in the State Senate. He was active in the Anti-Lecompton Democratic ranks and there came into close association with De Long. At the outbreak of the Civil War he returned to the East and became an officer in a Missouri regiment, serving at Vicksburg and Jackson, and later with Sherman, rising to the rank of Colonel. In 1866 he returned to California as Captain and Chief of the Commissary Department (*Alta*, March 15, 1866), but later resided in the East. In 1875 he returned to California for a time (*Alta*, Nov. 15, 1875). He died at Napierville, Ill., April 4, 1899. (*Sacramento Bee*, April 17, 1899.) From his first name, Sylvester, came his nickname "Vet" which De Long frequently applies to him.

4. Frank was the son of Charles E. De Long's Aunt Helen (Crandall) Tabor (b. Nov. 4, 1815, d. Aug. 27, 1898), a sister of De Long's mother, Sarah Crandall De Long (b. Jan. 19, 1807, d. April 18, 1836).

5. The *National Democrat* on January 6, 1860, under the heading "Napoleon First,"

reported that James Stark would take the part of Napoleon in "this fine play," and Mrs. Stark that of Clotilde de la Marque, the entertainment to conclude with the farce of "Family Jars." The farce entitled, "Bull in China Shop" was a comedy in two acts by Charles J. Mathews.

6. The "Marysville Gymnasium" opened on Oct. 6, 1859, under the direction of A. H. French. It advertised that "Hours of Exercise" were from 6:00 A.M. to 10:00 P.M., "Terms, \$5.00 per month, in advance." (See also Note 199, 1859.)

7. On the evening of January 10, 1860, Milton S. Latham was chosen by the Democratic caucus as its nominee for United States Senator to fill the post left vacant by the death of David C. Broderick. He had just been inaugurated Governor, having been elected on the Lecompton ticket. His predecessor as Governor, John B. Weller, had been the outstanding candidate for Senator, but at the last moment the votes turned to Latham. On the 11th the *Union* declared: "The announcement will fall with startling unexpectedness on the people of the State, and there will not be unfelt, even in the Democratic party, an active sense of wrong at the summary undoing of what sixty thousand voters at the last election recorded as their deliberate will and desire." (The editor was apparently a bit dubious about John G. Downey, the Lieutenant-Governor, who would now become Governor.) On the 12th, the Marysville *National Democrat* remarked: "The nomination of Milton S. Latham for United States Senator lays John B. Weller upon the shelf as a political fossil. He has made his last kick. He may now retire to his farm in Petaluma and seek the rural felicity which is the final comfort of worn-out politicians. The nomination of Mr. Latham was unexpected. It is quite certain, from what we have so far learned, that he himself looked for no such honor, and indeed had arranged all his plans for the future with an entirely different end." He was elected on January 11 by a vote of 97 against 14 for Randolph and 3 for O. L. Shafter. (Latham's journal of this period and of the early days of his senatorship is now in the possession of Stanford University, and it is hoped that it may be published in the near future.)

8. De Long here mentions for the first time the great new silver-mining country which was later to be his home for more than a decade. "Washoe" was the term given to the mineralized region centering in the Comstock Lode at Virginia City and Gold Hill, Nevada Territory. The discovery of rich silver ore in this region led to the rush of 1860, and in 1861 many new towns sprang up. Water, timber, and fuel were brought from great distances, and the greatest of all "silver camps" developed at Virginia City. (See Thompson & West, *History of Nevada*; J. Ross Browne, *Crusoe's Island . . . With Sketches of Adventure in California and Washoe*; Dan De Quille, *The Great Bonanza*; Alfred James, "Early Days in Washoe," *Publications of Historical Society of Southern California*, Vol. V, Part 2, pp. 186-93.) On Jan. 14, 1860, the Marysville *National Democrat* published the article which no doubt led De Long to discuss the possibility of going to Washoe. Under the heading, "From the New Eldorado," the editor stated: "We have recently had a conversation with Mr. F. J. Hughes, formerly of this city, who is on a visit from the mines of Nevada Territory, and who gives us some interesting facts regarding that remarkable region." It had been exceedingly cold, with snow three to four and a half feet deep, and in consequence flour sold at \$20.00 a hundredweight, and the cattle were dying of cold. Board (two meals a day) cost \$14.00 to \$15.00 per week and good beds were scarce, "and unless a man travels with his blankets he suffers." "Many persons at Virginiatown [sic] are living in excavations under the ground, like diggers, or in the mouths of tunnels, for want of lumber to build houses. . . . The region immediately around Virginiatown is exceedingly rich. The Mexican Claim, in which Mr. John Atchison of this place has recently bought a share (one-eighth) is very valuable. It is a silver mine and apparently inexhaustible."

9. H. Wagner & Bro. were for many years well-known booksellers in Marysville.

10. Although not yet elected to the Masons (see Note 34), De Long had seemingly imbibed certain of their lore. Before becoming a "Mark Master Mason" (the first degree in the Chapter of Royal Arch Masons and the fourth degree of Masonry) a candidate must choose a "mark" — such as the double key here selected by De Long.

10a. The Marysville city school house, at the corner of B and Seventh Streets, was completed in 1858, and Miss L. A. Buckmaster became superintendent of the girls' department. (Amy's Marysville Directory, 1858, p. xvii; T. & W., *Yuba County*, p. 102.)

11. During 1861, the *Union* carried for some months the advertisement of Miss M. Munson, "Clairvoyant physician," of San Francisco, who might be consulted daily from 10 A.M. to 4 P.M. (for \$5.00). The advertisement declared that "Miss Munson has had an extensive and successful practice for years in Boston and Philadelphia, as her many certificates and remarkable cures will show . . ."

12. Said the *National Democrat* (Feb. 22, 1860): "It was with the utmost difficulty, and at the expense of almost superhuman exertions by our gallant firemen, that the conflagration of Tuesday morning did not consume almost the entire block. . . . One of the incidents of the fire was the generous attention of Mr. Kernes to the nearly exhausted firemen. Notwith-

standing his whole house had been consumed and everything in it, he so well appreciated the ardor of their labors that he came forth, from time to time, with invigorating refreshments from his saloon on the other side of the street, and made them all partake freely. The firemen assure us that it did not come in bad time either."

13. D. E. Callahan was in 1860 the proprietor of the Golden Eagle Hotel at Sacramento. (Sacramento Directory, 1860; see Notes 119 and 127a, 1859, Note 51, 1858, and see also entry for June 3, 1860.)

14. The spiritualist movement was extremely popular at this period. General Rowe (see Notes 103, 1857, and 224, 1859) was for years a noted spiritualist, but De Long's interest appears to have been but fleeting.

15. See Note 33.

16. The *National Democrat* (March 16, 1860) said: "MOTHER EARTH IN TRAVAIL—A sort of precursor to the grand political earthquake which is to take place in this city on Monday next, occurred, yesterday, at precisely twenty minutes after eleven P.M. . . . It stopped the clock at the Western House . . . caused great consternation among the ladies at the Merchants' Hotel, who fled from their rooms like startled birds from the boughs at the report of the fowler's gun . . ."

17. Of this "Mass Meeting of the People" the *National Democrat* (March 16, 1860) said: "Mr. De Long on taking the stand, was greeted with tremendous applause and made a brief speech." A General Committee to draft a list of candidates was appointed and on the next day a full ticket was nominated. It appears that the Lecompton Democrats had gobbled up the party machinery, but the "peoples' candidates" won most of the offices at the election of March 19.

18. During the late 50's considerable interest was developed in the mineral districts of the Owens River and Mono Lake country. In 1859 the celebrated Hill party was mining in the Mono diggings and established temporary headquarters on the present site of Lone Pine in Inyo County. The Coso Mines (silver-lead ores) were discovered in 1860 by Dr. Darwin French, and many other mines were opened during this period in what are now Inyo and Mono counties (see Chalfant, W. A., *The Story of Inyo*, 1922; also Colcord, R. K., "Reminiscences of Life in Territorial Nevada," in *Quarterly of the California Historical Society*, VII, 2, 1928, pp. 112-19.) On Sept. 14, 1860, the *Alta* carried an article on the silver ore which had been brought to San Francisco from a point thirty-five miles northeast of "Monoville," near Mono Lake, to which the name "Esmeralda District 2" had been given. Specimens were on display at "Olney's Washoe Exchange." (See also *Alta*, March 8, 1861.)

19. Thomas Bard McFarland was born in Mercersburg, Pa., April 18, 1828, and graduated from Marshall College. He came to California in 1849, and to Nevada County in 1854. (T. & W., *Nevada County*, p. 96.) From 1861-70 he was District Judge, residing in Nevada City, and later became Register of the U. S. Land Office (1874), member of the Second Constitutional Convention, 1878-79, Superior Judge of Sacramento County, 1882-86 and Justice of the State Supreme Court (1887-1908). He was for many years one of the leading jurists of the state. (See Shuck, *History of the Bench and Bar in California*, 1901, p. 661; *San Francisco Past and Present*, Vol. 1, p. 37.)

J. C. Palmer also came early to Nevada City, and in 1868 was Justice of the Peace. (Bean, *History and Directory of Nevada County*, pp. 146-47.)

20. See Note 210, 1858. David Belden was County Judge of Nevada County, 1859-63. In 1868 he placed his "card" in Bean's *History and Directory of Nevada County* as an attorney and counselor at law, office in the Kidd & Knox Block, corner Broad and Pine Streets, Nevada City. He was later District Judge of Santa Clara County.

21. De Long's confession that his two chief allies were "impudence and luck" is illuminating. As a very young man he had won his spurs in politics by what must truly have seemed to be "impudence" to the older men of his party, but his "luck" was with him, and throughout his life—though he suffered numerous setbacks—he seemed to have a certain drawing power which continually placed him higher in the political sphere. Had he not died at the early age of forty-four in 1876, he might well have risen much higher still. It is evident that "impudence" and "luck" were aided by a not inconsiderable talent, and an engaging personality.

22. "Zack" Montgomery (see Notes 20 and 139, 1858) was a "Southern firebrand," and one of the leaders of the secession group in California during the Civil War. He and De Long clashed on this subject more than once.

23. Judge Niles Searles (b. Albany County, N. Y., Dec. 22, 1825) had a notable career in California. He attended the "National Law School" at Cherry Valley, N. Y., and was admitted to the bar in 1848. He came across the plains to California in 1849 and his first job was that of unloading a river steamboat at Sacramento, —which lasted just one hour before he was "fired." For six months thereafter he served as a waiter in a restaurant, and his first law case came from some patrons whom he overheard discussing certain litigation. At once he proceeded to Nevada City, and five days later lost the election for Alcalde by but

ten votes out of several thousand. In 1852 he became District Attorney of Nevada County, and in 1855 was elected District Judge on the Know Nothing ticket, being defeated in 1861 by T. B. McFarland (see Note 19). From 1864 to 1870 he resided in New York, returning to California to lead the fight for the hydraulic mining interests against the valley farmers. In 1877 he went to the State Senate and was President of the Debris Commission in 1880, being instrumental in passing the so-called "Caminetti Law." In 1885 he was appointed one of the Supreme Court Commissioners, and in 1887 Governor Bartlett appointed him Chief Justice of the State Supreme Court. (Shuck, *Bench and Bar of California*, 1889, pp. 92-96, also 1901, p. 494.) After the conclusion of his term he again became Supreme Court Commissioner (1893-97). Judge Searls died on April 27, 1907, at his home in Berkeley. He left two sons, Fred, an attorney of Nevada City, and Niles, Jr., of San Francisco. His grandson, Robert P. Searles is a practising attorney of San Francisco.

24. John R. McConnell was District Attorney of Nevada County, 1851-53. (Bean, *History and Directory of Nevada County*, pp. 38 and 168.) He was a brilliant lawyer, able, but eccentric and erratic. He died in Colorado in 1874. (Shuck, *Bench and Bar of California*, 1889, p. 69.)

John Garber, a native of Virginia, was for many years the dean of the legal profession in California. He practised for a number of years in Nevada County, and was County Recorder, 1866-68. Shortly thereafter he removed to San Francisco and was later associated in practice for many years with Harry I. Thornton and Thomas B. Bishop, the firm long enjoying the largest practice of any firm in the state. Garber distinguished himself in many important cases, among which was that of *Lux versus Haggin*, in which the doctrine of riparian rights was established in this state.

25. It is said that until very recent times the miners and other residents of Nevada City had a custom of playing football, or other games, in the main street of the town.

26. Bald Mountain is an eminence rising above the neighboring foothills just north of the town of Brown's Valley. Until recently a school district of that name existed in the locality.

27. James K. Byrne, attorney and counsellor at law, had offices at this time upstairs at No. 16 Mill Street, Grass Valley. (Card in Grass Valley and Nevada [City] Directory, 1861, p. 103.)

28. On May 8 the *National Democrat* reported that, "The Pony Express arrived at Carson City this morning (May 7), bringing news from St. Louis to April 28th. . . . The Charleston Convention has been in session four days. In the Convention the Douglas members have thus far carried every point. . . ." The Convention adjourned on May 3, however, without making a nomination—to meet at Baltimore on June 13. The split was complete between the Douglas and Breckenridge supporters.

29. The "Washoe Massacre" is described in considerable detail in Bancroft's *History of Nevada, Colorado and Wyoming* (Vol. XXV of Bancroft's *Works*), pp. 208-17. On May 7, 1860, the Indians attacked Williams Station, killing seven men, and eight others were killed sixty miles distant from this point. The sparse population of western Nevada Territory was terrified, and a body of some 105 men, poorly armed and lacking discipline, proceeded to the Truckee River, and on the 12th were defeated by the Indians. Major William M. Ormsby, commanding the little force, was killed by a poisoned arrow, and, in addition, twenty-three others were known to have lost their lives in this "Battle of Pyramid Lake." On the 15th, the *National Democrat* at Marysville carried a dispatch from O. H. Pierson to his brother, as follows: "John Blackburn safe. Sixty killed. Will start my wife and family to Marysville tonight." On the same day this paper reported that the Marysville Rifles before they could "march to the scene of danger" would have to be equipped with horses and other equipment which would cost about \$8,000. It was reported that John C. Fall had subscribed \$2,000 toward such a fund. On the 16th, a dispatch from Downieville stated: "We start with 150 men to fight 1200 Indians, who are in Sierra Valley, tonight, if we can meet them. Follow us with what men you can get and hurry up. Sheriff White." (See also Thompson & West, *History of Nevada*.)

30. The break-up of the Charleston Convention meant not only the success of Douglas in holding the northern Democrats against the Breckenridge forces of the South, but was also the moving cause of the election of Abraham Lincoln.

31. The original water works building was of two stories, the tank occupying the roof and the Hall (used by Peri for his dancing academy—see Note 50—and for other gatherings) occupying the second floor. After the fire of 1887 the building was reconstructed with two additional stories, the upper being for the large, flat tank where the water, pumped from deep wells, is aerated to remove natural gas before going into the mains.

32. The *National Democrat* (May 29) reported that "A large and brilliant audience assembled, last evening, to witness the performances of the celebrated Marsh Troupe, just returned from Oroville. The entertainment began with the Naid [sic] Queen, which was presented in the most admirable manner, the scenery was magnificent and the acting superb.

As Sir Rupert, Miss Anna Gourley acted in a style not to be surpassed by many actresses even older than herself. As Schnapps, we thought two or three times that little G. W. Marsh ought to have been killed, in mercy to the risibilities of his audience . . . The Rendezvous went off admirably, and little Marsh crowned himself therein with new glories." This troupe was known as "Marsh's Juvenile Comedians," and had just arrived from a long engagement at San Francisco.

33. Henry P. Haun (see Note 85a, 1857) was born in Kentucky in 1815, studied law and commenced its practice in Lexington in 1839. Six years later he was made prosecuting attorney for Scott County, but later in the same year removed to Hauntown, Clinton County, Iowa, where a brother was then living. He was a delegate to the Iowa Constitutional Convention in 1846, and in 1849 went overland to California with his wife and daughter, settling in Marysville in January, 1850, when it was but a camp of tents. Later that year he was elected first County Judge of Yuba County and served as such for four years, at the same time engaging in farming along the Yuba River. In 1859, Governor Weller appointed Judge Haun to fill the unexpired United States Senatorial term of the late David C. Broderick, and he served from Nov. 3, 1859, to March 4, 1860, when he returned to California and retired to his ranch. He died suddenly in Marysville on June 6, 1860. His daughter, Mrs. Kate Haun Dewey, now resides in San Francisco. (*Alta*, Oct. 27 and 28, 1859, and June 7, 1860; *Union*, June 7, 1860, and the Biographical Directory of the American Congress.)

34. De Long's Masonic history, so far as the records of his Mother Bodies show, is as follows:

Entered Apprentice	June 19, 1860
Fellow Craft	July 10, 1860
Master Mason	Aug. 6, 1860
(In Corinthian Lodge No. 69, F. & A. M., Marysville)	
Mark Master Mason	Sept. 28, 1860
Past Master	Oct. 26, 1860
Most Excellent Master	Nov. 16, 1860
Royal Arch Mason	Nov. 23, 1860
(In Washington Royal Arch Chapter No. 13, Marysville)	
Royal and Select Master	Nov. 8, 1862
(Marysville Council No. 3, Royal and Select Masters)	
Knight of the Illustrious Order of Red Cross	Jan. 26, 1861
Knight Templar	Jan. 28, 1861
(Marysville Commandery No. 7, Knights Templar)	

De Long was an enthusiastic Mason, and while Minister to Japan secured a pair of ancient brass candlesticks from a Buddhist Temple, which he presented to the Masonic Fraternity of Marysville and which are still used there and are to be seen in the Masonic Hall. They were used to light the first Masonic Lodge Room in Japan in Nippon Lodge, F. & A. M., No. 1344, British Constitution, at Yeddo. (Information from account prepared by J. F. Eastman, for many years Secretary of most of the Masonic bodies in Marysville.)

35. Said the *National Democrat* the next day:

"TIRRELL & Co's PANORAMA—This giant painting was again unrolled, this evening, to a large and highly intellectual audience. Section first embraces the region between Monterey and Benicia, and represents many historic scenes of great interest, with marvelous fidelity. The geysers are pictured, in particular, with masterly power. Section second embraces the region between the mouth of the Sacramento river and the great peak of Mt. Shasta, inclusive. Sacramento City and Marysville may be seen faithfully painted on the canvas. Mount Shasta itself is seen by sunset. Section Third includes a map of views extending from the Sierra Buttes to the Big Trees and is rich in grandeur. The fourth section embraces the country from a point near Columbia to the great Yo Semite Valley. The pictures of this wondrous valley and its surroundings are sublime and beautiful beyond all description. The panorama will be presented again this evening. It is altogether the finest that has ever been exhibited in California."

36. Elida's Diary in 1860, if it was at all like that of two years later (a small portion of which has survived and which is to be found as an Appendix to the diary of 1862), was a document which could hardly have failed to gladden the eyes of her lover, for in it she recorded scarce a thought save of him, of her adoration for him, and of his supposed neglect of her.

37. Said the *National Democrat* (June 20):

"RECEPTION OF THE WARRENS—Yesterday was a sort of gala day in our city, the Warrens having returned from their trip to San Francisco, whither they had been on a visit to the Howards. The boat arrived about 3 o'clock P.M., and the entire Fire Department turned out to receive them. Marching down, with banners and music, to the landing, the Warrens were welcomed in due form, and escorted

through the principal streets of the city, with fine display and effect, to the Engine House of the Eureka, marching under an outstretched canvas, with the words inscribed thereon, 'Warrens! Welcome, welcome home!' The Eureka had spread out a fine collation, and all partook with a zest. Toasts were drank, a portion of the press was present, and Charley De Long made a speech suitable to the occasion, brief but eloquent. . . ."

38. Dogtown is now known as Megalia.

39. Mrs. E. C. Poston's Marysville Young Ladies Seminary was opened by her in November, 1857. She later removed to Oakland where she conducted a successful girls' school. (T. & W., *Yuba County*, p. 104.) Of "Mrs. Poston's School," as it was familiarly called in Marysville, it was said in the local Directory for 1858-59 (p. xviii) that "The accomplished lady who conducts this Seminary has spared no pains to make it worthy of the patronage of the public; and has succeeded in establishing an Institution for the education of young ladies, second to none in the State." In the *National Democrat* for Jan. 4, 1860, is an advertisement of this school which lists the following:

"Terms per Month of Four Weeks

"Higher English Branches	\$ 8.00
Primary	6.00
Languages, French, Spanish, Italian, Latin, each	5.00
Music — Piano and Guitar	10.00
Drawing & Painting in Water Colors	5.00
Drawing & Painting in Oil Colors	10.00
Board & Washing	33.00
Board Without Washing	25.00"

40. Dr. Eli Teegarden was born in Ohio in 1811 and arrived in California via the Isthmus in 1849. He is listed in the Marysville Directory for 1858-59 as a physician and surgeon, residing on Yuba Street, and he later resided in Sacramento. He was Assemblyman from Yuba County in 1862 and State Senator (Yuba and Sutter counties) 1865-68. He died in Marysville in 1884. His daughter Susan married William Smith of Rideout & Smith, bankers, and their daughter, Miss Susan Teegarden Smith, is now Librarian of the Berkeley Public Library.

41. Sally and May Tennent were the daughters of one of John C. Fall's partners. One married W. P. Harrington, founder of the Colusa County Bank, and the other married Horace Beach. (Stanwood.)

42. An advertisement in the *National Democrat* (July 13) heralded this "MATCH AGAINST TIME," and declared that "This Afternoon at 4 o'clock, at the Marysville Park, Morg. Miller will go to harness, against time, for \$1000. Admission to the Track Free." The next day the editor reported a large crowd and "time, 10 miles in 33:16. Large bets at various figures."

43. This pamphlet was written by an anonymous self-styled "Ex-Supreme Court Broker" and was entitled "The Gold Key Court or the Corruptions of a Majority of It." In it Field and Baldwin were openly accused of receiving bribes from Colonel Fremont (through a certain Colonel James of Mariposa) in connection with the celebrated case of *Biddle Boggs vs. Merced Mining Co.* (Copies of this rare pamphlet are to be found in the State Library and the Huntington Library. See Swisher, *Stephen J. Field*, 1930, p. 85.)

44. Said the *National Democrat* (July 17, 1860): "The Douglas Democracy fired, yesterday, about noon, thirty-three guns in honor of the nominations of the national Democracy at Baltimore." One hundred guns were fired at San Francisco and Sacramento.

45. "The assemblage which was gathered, last evening, in front of the St. Nicholas Hotel, to ratify the nominations of the regular National Democratic Convention at Baltimore, was, we think, the largest meeting of a political nature ever witnessed in the city. The people assembled, amid the booming of cannon and a display of fire works, and soon filled the streets and sidewalks, while the balcony of the hotel was thronged with ladies . . . [Various speeches were made and resolutions adopted] and C. E. De Long followed in his happiest vein. He concluded by proposing three cheers for Stephen A. Douglas which were given with a will." (*National Democrat*, July 20, 1860.)

46. William H. Weeks, an attorney of Sacramento, was one of the leading early members of the Republican party in California, being selected as one of the Presidential Electors on that ticket at the election of 1860. (Sacramento Directory, 1859-60, p. 121; *ibid.*, 1861-62, p. 138.) Of the meeting here mentioned, the *National Democrat* said (July 22, 1860): "The Republicans had a meeting, last evening, which was very well attended. It was addressed by W. H. Weeks, of Sacramento, who made as good a speech probably as could be made on that side. He denounced the Administration and denounced Breckenridge, but labored hard to persuade all persons who intended to vote against the Republican party to vote for Breckenridge. He seemed to dread their voting for Douglas."

47. Laura Trego was one of the three daughters of "Bill" Trego, a Sutter County farmer and truculent character. The girls were noted beauties. Ellen married J. B. McDonald

(see Note 48) and was the mother of two daughters, Belle (Mrs. Wesley Wilson), of San Rafael, and Cordelia (later Mrs. Albert G. Gurnett) who died about 1890. Laura married Dr. Jim Talbot in 1862 (see entry for May 21, 1862), and lived for a time in Logansport, Indiana, returning after Dr. Talbot's death to live in California with her sister Nancy, and dying at Fresno in 1903. She had one child, a boy, who died in infancy. The third daughter, Nancy ("Nannie") married J. H. Craddock, attorney and County Judge of Sutter County (1872-80) and died in Fresno in 1920. Their children were Elsie (Mrs. Arthur W. Burdick) of Los Angeles, Nancy (Mrs. Frederick H. Tyler) of Los Angeles, Mattie (Mrs. Lewis G. Bassett) of Santa Cruz, and Mary Ellen (deceased 1930). In a letter (Sept., 1931) Mrs. Bassett writes: "Charlie De Long, a contemporary member of the bar with my father . . . was talked of in our home in my early days as a dear friend and a 'shining light'."

48. James B. McDonald, the husband of Laura's sister Ellen, was originally a stonemason. At the time here in question, however, he operated the "St. Nicholas Livery Stable," in the rear of the St. Nicholas Hotel. Later he became General Superintendent of the State Reform School Building at Marysville. (*Union*, Jan. 18, 1861; see Note 81.) For many years McDonald occupied the residence built by John C. Fall at 7th and G Streets, but financial reverses overtook him in his old age. He died, some fifteen years ago. One of their daughters, Belle, now Mrs. Wesley Wilson, is living in San Rafael with her daughter, Mrs. Clifford Bartlett. (Stanwood.) (See also Note 47.)

49. The cornerstone of the New Hall of the Fraternity of Odd Fellows at 3d and D Streets, Marysville (the present seat of the order) was laid with impressive ceremonies on July 27, 1860. The Grand Officers, subordinate Lodges and Encampment and visiting brothers from all parts of the State paraded from the old hall to the site of the new one, and, after quite a program, William H. Rhodes (see Note 64), Most Worthy Grand Patriarch and Most Worthy Grand Master, delivered the oration of the day, which was published in full in the *National Democrat* for July 28, 1860.

50. For many years the Dancing School of "Mons. and Madame Peri," occupied the Water Works Hall (see Note 31), and as early as January 12, 1860, the editor of the *National Democrat* remarked that "Mons. Peri is the best male teacher of dancing in the State, and his lady is not surpassed as a female teacher." They also operated a popular "ice cream saloon," here mentioned by De Long.

51. J. F. Linthicum (see entry for Oct. 3, 1859, re De Long's near-duel with him) was at this time Editor of the Marysville *Express*. Born in Virginia, Linthicum spent his boyhood in Mississippi, where he "read law" in the office of Hon. John W. C. Watson, of Holly Springs, and was early admitted to the bar. He came to California and to Marysville in 1858, and after anonymously contributing a series of letters to the *Express* under the name of "Pax," became, in March, 1859, the editor of the paper. He was a fiery Southern Democrat, and during his four years as editor he made the *Express* one of the best-known journals of the State. He later lived at Virginia City, Nevada, San Francisco, Sonoma, Vallejo, Bakersfield, Red Bluff and Santa Rosa, and engaged nearly all of his life in newspaper work, although for four years, under Cleveland, he was Receiver of Public Monies for the United States Land Office at Sacramento. In 1888 he married Miss Annie F. Peterson, of Santa Rosa. He died in Sacramento at the age of eighty-five. (From clippings in the "Linthicum Scrapbook," State Library, Sacramento.)

52. "TIMBUCTOO — The Firemen's ball that came off at this place on last Thursday evening, was a grand affair. There were about eighty-five couples present. About sun-down the Rescue Hose Company had their first parade, numbering thirty men, and, accompanied by a delegation from Warren No. 4 of Marysville, they made a very fine appearance. The dance was kept up until broad daylight, and the gay crowds left well pleased with the entertainment. Good luck to the Rescue Hose Company!" (*National Democrat*.)

53. See Note 204, 1859. On December 30, 1859, a Sacramento District Court jury disagreed, and the case against Turner was set for retrial in January, 1860. The result of this trial is not known but presumably Turner was acquitted.

54. "Brother Jim" was back in the old home, the grandfather and grandmother who had brought up the boys were dead, and little sister Elizabeth had also died. It is small wonder that the emotional Charley was homesick on this day.

55. The "Grand Italian and English Opera Company" under the direction of W. S. Lyster, and A. Reiff, Jr., Conductor, played for six nights in Marysville. In Donizetti's *Lucrezia Borgia*, the cast (as given in the *Express*, Aug. 13, 1860) was: Alfonso, Mr. J. De Haga; Genaro, Mr. Henry Squires; Orsini, Miss Georgia Hodson; Gubetto, Sig. Roncoveri; Rustighello, Mons. Charles; *Lucrezia Borgia*, M^{me}. Lucy Escott. The company came from a three months' success in San Francisco.

56. The *Express* (the Breckenridge organ) did not agree with De Long. On August 31 it declared, "The nominations for the Senate and Assembly are excellent, being composed of gentlemen known to be thoroughly Democratic, and worthy, in every way, of the high position for which they have received the endorsement of the Convention."

57. Payne's Ranch was otherwise known as the "Sixteen Mile House."

58. The *Express* had a slightly different version. It said (on Sept. 3, 1860):

"The Squatter County convention assembled at the Sixteen Mile House, on Saturday last, and went through the farce of nominating candidates for the Senate and Assembly. . . . The first business in order was the election of a candidate for Senator. Somebody jumped up as if to have the first say, and nominated Charles E. De Long, and, as no other nominations were made the rules were suspended and De Long nominated by acclamation. De Long then came forward and proceeded to address the Convention in his usual modest and diffident manner. . . . At the conclusion of his remarks an ardent admirer of De Long's presented him in a formal and graceful manner with a nubbun of yellow corn as a token of his affection. . . . The Convention was a very small one, consisting of about fifty-five members. . . . They tried very hard to get up a little enthusiasm, but it was evidently a strained effort. . . . Taken altogether it was a very lame affair and must have been discouraging to the Squatters themselves."

The *National Democrat* (Sept. 3, 1860) gave an exactly contrary report, saying, "There was a large attendance, a very full Convention, and great enthusiasm."

"Judge Reardon," who nominated De Long, was Thomas Rirkhead Reardon, a pioneer of 1849, from Maryland. He was later District Judge of the 14th Judicial District, and died at Oroville, August 5, 1885. (*Union*, Aug. 6, 1885. See also Note 90, 1856.)

59. This Convention was called to order by Joseph P. Hoge, Chairman of the State Central Committee (see Note 91, 1861), and 354 delegates were reported as represented in person or by proxy. There were present thirteen delegates from Yuba County: C. E. De Long, J. S. Slingerland, T. B. Reardon, J. P. Muldoon, Lyman Ackley, E. D. Wheeler, W. W. Presbury, W. Edgar, L. Hubbard, J. Payne, George Lambdin, A. Pearly and J. G. Smith. It is of interest that J. W. Coffroth was now back in the Douglas fold. (*Union*, Sept. 6, 1860.)

60. "Richelieu, or The Conspiracy," a play in five acts by Sir Edward Lytton Bulwer, was published by Samuel French, New York, in 1839. (See Note 253, 1858.)

61. "The Fool's Revenge" was a drama in three acts, by Tom Taylor. "Uncle John" was a comedy by John B. Buckstone, first produced at the Haymarket Theater in October, 1833.

62. The initials "F. & A. M." are here used incorrectly. They apply only to the "Blue Lodge," the first three degrees of Masonry. The Chapter refers to the "Royal Arch Masons"—R. A. M.

63. Colonel Edward D. Baker (see Note 127, 1859) had gone to Oregon but shortly before this date. He realized that "his star was not propitious" in California, and during the summer of 1860 he made many speeches in Oregon in favor of the Republican candidates. James W. Nesmith, an Oregon pioneer of 1843, had been a member of the local legislature and also United States Marshal. After a severe struggle in the State legislature, Nesmith was elected to the long and Baker to the short term on the eighteenth ballot. (Bancroft, *History of Oregon*, Chap. XVII, pp. 442-55.) Baker served from Oct. 2, 1860, until his death at the Battle of Ball's Bluff, Va., Oct. 21, 1861. He is buried in Lone Mountain Cemetery, San Francisco, near his friend, David C. Broderick. Nesmith served from 1861 to 1867. He died in Oregon, June 17, 1865.

64. William Henry Rhodes, lawyer, poet, playwright, politician and story-teller, was born in North Carolina in 1822. He attended Princeton College and Harvard Law School, and practiced in Galveston before coming to California in 1850. Six years later found him one of the boldest leaders of the great Vigilance Committee, and he served for a time as Secretary to Governor J. Neely Johnson, as a "Know Nothing." In 1858 he was the poet of the Cable Celebration at which Colonel Baker spoke. He developed a large law practice in partnership with E. W. F. Sloan, one of the leaders of the San Francisco bar. In 1863 he removed to Virginia City, Nevada, but in 1865 returned to San Francisco, where he turned largely to literary pursuits, writing under the pen name of "Caxton." His story entitled "The Case of Summerfield" attracted wide attention, as did also "The Telescopic Eye." He was a leading member of the Bohemian Club. His death occurred on April 4, 1876. (Shuck, *History of the Bench and Bar*, p. 545.) Rhodes' tragedy, "The Mormon Prophet" caused a sensation when first brought out in 1859, and he recited it to large audiences throughout the state. The play dealt with the Mormons during the time of Joseph Smith's incumbency, and the events leading up to that leader's death. On Sept. 8, 1860, the *Alta* stated, "The plot is laid among that curious and erratic people, who, though self-created outcasts among men, possess some traits which have been wrought up into a plot of thrilling interest, in which a pure and high-spirited woman is thrown among the 'Saints,' and her spotless character made to contrast with their iniquitous creed."

65. At this meeting, Humphrey Griffith "made one of the most brilliant and telling speeches we ever listened to," said John R. Ridge, Editor of the *National Democrat* (Sept. 26, 1860). "He administered a withering rebuke to the renegade California delegates [to the Charleston convention], and also to Senators Gwin and Latham," and urged defeat for "the rail-splitting candidate of the Republicans." He was followed by John Nugent who, "in a short but bold

and sensible speech" exhorted all Democrats to stay with Douglas. C. N. Brosnan of San Francisco, "a very earnest and impressive speaker" then spoke, after which "loud calls were now made, on every side, for Charley De Long, who soon mounted the stand, and talked to the crowd for fifteen minutes in his inimitable manner," and at his call "three soul-stirring cheers went up for Stephen A. Douglas."

The *Express* (Sept. 26, 1860) reported, however, that "The Douglasites held a meeting last evening at the Western House corner, which was addressed by Humphrey Griffith, John Nugent and others. The attendance was small, and, considering that previous notice had been given that distinguished speakers would be present and extra exertions were made to have a grand affair, the meeting was a most signal failure. Little or no enthusiasm was manifested."

66. This meeting was held indoors owing to the inclemency of the weather, and Major R. P. Hammond and General James A. McDougall spoke. Ridge wrote in the *National Democrat* (Oct. 5, 1860) "No reporter for a hostile sheet, whether Breckenridge or Lincoln, will venture, we think, to state in the far too usual style of such concerns, that the meeting was thinly attended and that there was little or no enthusiasm. It was truly a rousing meeting, and the speech of General McDougall was interrupted with frequent and tremendous applause." As a matter of fact, the *Express* ignored the meeting entirely.

67. H. Videau's establishment was a famous French restaurant in Marysville for many years. It was a popular resort for "champagne suppers." (Stanwood.)

68. The *National Democrat* the next day declared, "A vast assemblage of citizens gathered in the Theater, last evening, to hear the speech of Hon. Jas. A. McDougall, in reply to the remarks of Dr. Gwin in this city, on Saturday evening last. . . . He was followed by C. E. De Long, in a speech of considerable length. . . . [De Long] delivered a Phillipic against Gwin which will long be remembered in this city, for the fierceness of its satire and the lofty tone of its denunciation."

69. Alvira Clay was the eldest of the five daughters of John Clay of Garden Valley (see Note 94, 1857). She was born in 1844 and was therefore sixteen years of age when she accompanied young De Long on this journey to Camptonville. Six years later she married Seward Jewett, and they resided first at Camptonville and later in Humboldt County, finally going to San Francisco, where she lived to a ripe old age. (Mrs. Harriet Hogan, of Santa Cruz, the "Hattie" Clay of the diary, see Note 151, 1859.)

70. A "Hurdy Gurdy girl" was Forty-niner parlance for a dance-hall girl.

71. Mary Cowell and her mother, Mrs. Effie Cowell, were frequently mentioned by De Long in his Diary for the year 1857. Mrs. Cowell later married Jack Bates and Mary became the wife of James Slingerland in 1861 (see Note 72).

72. "Jim" Slingerland (see Note 101, 1856) was still living at Young's Hill. Soon he would marry Mary Cowell (see Note 71) and shortly they would move to "Washoe." Jim's romance with Ada Singer seems to have died a-borning (see Note 55, 1859).

73. Edward J. C. Kewen was born in Mississippi in 1825, studied law and came overland to California in the party of Dr. T. J. White (of Sacramento) in 1849. On December 10 of that year he married the Doctor's eldest daughter, and shortly thereafter was elected by the Legislature as California's first Attorney General. In 1857 he canvassed the state as Whig candidate for Congress, but the Democrats elected their candidates, Edward C. Marshall and Joseph W. McCorkle. Kewen then practised law in San Francisco for a time, but when William Walker went to Nicaragua he became financial agent in that city for the filibusters, one of his brothers being in second command of the expedition and losing his life in the venture. "Colonel" Kewen returned to California after Walker's debacle and in 1858 settled in Los Angeles where he practised law as a partner of "Col. Jim" Howard. In 1872 he was the Greeley Democratic nominee for Congress, but was defeated by S. O. Houghton of San Jose. He died at his home near San Gabriel, November 25, 1879. Kewen was a strong southern sympathizer at the time of the Civil War, and his diatribe on Lincoln is well known: ". . . he doth bedstride this world as a Colossus. . . ." As an orator Kewen was known the length and breadth of the state, and Jackson A. Graves, lawyer and banker of Los Angeles, who knew him well, declared in 1909 that: "Col. E. J. C. Kewen [was] an orator of such rare qualities that he deserves a place in the niche of fame by the side of Thomas Starr King and E. D. Baker." (Pamphlet, *Reminiscences of the Early Bar of Los Angeles*, address to the Los Angeles Bar Association, Oct. 15, 1909.)

74. On Nov. 5, 1860, the *Express* published an article entitled, "Charley De Long — Reasons for claiming the support of the People," reading in part as follows:

"He is the advocate of Bridge monopolies.

He is the Attorney for monopolists.

He is a Bulkheader.

A Republican for Republican votes

A Frenchman for French votes — (*Monsieur De Long*, at Indiana Ranch).

Because he is a little Giant.

.

Because he is in favor of the Devil for the United States Senate.
 Because in his refinement he likens our President to a negro and a jackass.
 Because he never wants office!

Because he made 464 speeches in one session, which cost the State \$30,000, and each speech in favor of private interest vs. his constituents.

Oh! What a Representative for the laboring masses."

In his speech that night, as reported in the *National Democrat* for November 6, De Long took occasion to roast the *Express* for this attack, "and the crowd loudly applauded his bold and manly vindication." The editor added, "The fact is Charles De Long is of the stuff that heroes are made of. He is a young man of genius and courage. He has struggled against innumerable obstacles, and it is the duty of the people in this county to sustain him. . . . A prophet is never honored in his own country, and the citizens of Yuba County, we do not believe, are aware of the truly noble, brave and generous character of Charley De Long. 'The Little Giant of Yuba' he emphatically is. . . ."

General James W. Denver (see *Cyc. Am. Biog.*; Kans. State. Hist. Soc. Vol. 7, p. 449; *Cox, Annals of Trinity County*, p. 180; Daggett Scrap Book Vol. 3, p. 109, State Library) died in Washington, Aug. 9, 1892.

Robert M. Briggs was assemblyman (Know Nothing) from Amador County in 1858, and Superior Judge, Mono County, 1880 to his death, Dec. 8, 1886.

"Colonel" B. F. Washington came to California from Virginia and practised law in Sacramento, serving as City Recorder or Police Judge, and also engaging in newspaper work as one of the founders of the *State Journal*. In 1857 he became Collector of the Port of San Francisco, but in 1861 removed to Tehama where he practised law until 1865 when he became editor of the newly established San Francisco *Examiner*. Later he served as member of the State Tide Land Commission. At the time of his death, Jan. 22, 1872, he was the dean of political writers in California. (See *Union*, Oct. 6, 1860; San Francisco *Examiner*, Jan. 23, 1872, and Shuck, *Bench and Bar of California*, 1901, p. 412, describing Washington's duel with C. A. Washburn.)

George Pen Johnston was a Kentuckian who had lived in Indiana and had been sheriff of a Mississippi county before he came to California in 1851. He was shortly admitted to the bar and became Deputy United States Marshal in San Francisco and later Clerk of the United States Circuit Court and ex-officio United States Commissioner. It was Johnston who decided the celebrated "Archie" case in favor of the slave. He became a Gwin man in 1855 when he went to the Legislature, and in 1858 occurred his celebrated duel with Ferguson (see Note 213, 1858). Ferguson's death cast a shadow upon Johnston's after life, and it is said that he had despondent attacks on every anniversary of the duel. In 1865 he bought an interest in the San Francisco *Examiner* with B. F. Washington, and acted as editor-in-chief until the paper was sold to Senator Hearst in 1882. He died in San Francisco, March 4, 1884. (San Francisco *Call*, March 5, 1884.)

75. Hansonville is now generally known as Rackerby and is on the La Porte road between Bangor and Brownsville.

76. Of this collation, John R. Ridge, editor of the *National Democrat*, wrote the next day: "De Long made a brief speech in his usually eloquent style, and many witty observations, interspersed with complimentary toasts back and forth, passed over the foaming glasses. The Warrens are justly delighted over the triumph of their gallant fellow fireman, and many hundreds of citizens share in their gratification. After the collation, the Warrens marched through the city, presenting a very fine appearance. . . ."

77. On the 10th of November the *Union* reported the vote of thirty-five counties and parts of counties, as follows: Douglas—32,747; Lincoln—33,132; Breckenridge—27,591; Bell—5,984. The final returns are to be found in Davis, *History of Political Conventions in California*, p. 127. The Lincoln electors received around 38,700 votes; those for Douglas, around 38,000; those for Breckenridge, around 34,000 and those for Bell, around 9,000.

78. The "Pacific Republic" movement made some stir in California at this time, and the newspapers of the period contain many accounts of local "Bear Flag" raisings. Congressman Scott wrote to Charles Lindley under date of Dec. 21, 1860, urging a Pacific Republic in case of dissolution of the Union (*Herald*, San Francisco, Jan. 18, 1861), and on February 28, 1861, the Breckenridge State Committee issued a "call" which asked why such a republic should not be formed. Much has been written on this subject. (See Hunt, Rockwell D., *California and Californians*, 1926, pp. 331-32; Bancroft, *History of California*, Vol. VII; Kennedy, E. R., *The Contest for California in 1861*.)

79. The *National Democrat* for November 29, 1860, carried the advertisement of the "Paullin Family Dramatic Troupe" who were to perform at the Marysville Theater, and it was stated that: "This celebrated company will make their first appearance in Marysville at the Theater on Thursday Evening, November 29. The favorite little Actress Miss Louisa Paullin

will appear in her original character of LITTLE EVA, in the celebrated Drama of UNCLE TOM'S CABIN! As performed by her for THIRTY NIGHTS in San Francisco."

80. Although little Anna Singer had a great influence over young De Long, he seems by this time to have made up his mind that Elida Vineyard was "the one girl" for him. We cannot be certain from this entry whether Anna's request concerned marriage, but the evidence seems to point that way. (See Notes 141 and 289, 1858, and 55, 1859.)

81. The State Reform School (for boys) was authorized by an Act of the Legislature effective April 14, 1859, and a site some five miles north of Marysville was selected by the Commissioners. The city purchased the property of Charles Covillaud, and John A. Steele obtained the contract for the building, 52 by 218 feet in size and three stories high. It was dedicated on Dec. 2, 1861. Seven years later the institution was abandoned; the land and buildings were donated to the City of Marysville and subsequently sold to James Strain for \$6,000, after which the buildings were wrecked and the material sold for enough to pay for the property. (T. & W., *Yuba County*, pp. 104-5.)

82. John C. Fall (see Note 100, 1855) married Jane Creed, of Lancaster, Ohio, on March 29, 1853. (Stanwood.) Lizzie Fall (a daughter by a previous marriage) married Henry Kincaid, Jan. 1, 1856. Mollie Creed (sister or daughter of Mrs. Fall) married Frederick F. Low (later Governor of California) Dec. 22, 1857. John C. Fall later went to Washoe and Arizona, and died at San Francisco, Dec. 12, 1894, at the age of 84 years. (Stanwood.)

83. Pauline Hoge, daughter of Col. Joseph P. Hoge of San Francisco (see Note 91, 1861) was born in Galena, Ill., Aug. 7, 1842. She is declared by those who knew her to have been a gracious and charming girl, and De Long's many references to her bespeak his admiration of "Miss Pauline." She was one of the bridesmaids at his wedding. She married Delphin Delmas, well known California lawyer, on April 7, 1869, Bishop Alemany performing the ceremony. She died at Santa Monica, April 4, 1918. Her children were Delphine (Mrs. William Sanford Barnes, of San Francisco); Paul Hoge (died 1916); Josephine Hoge (Mrs. William Lionel Fitzgerald-Kenney; died at San Francisco, 1917) and Miss Antoinette Hoge Delmas, still living at Santa Monica.

84. The original of this "mean, aggravating letter" has been preserved, and is of such interest that it is here reproduced in full:

"Marysville Dec 26th 1860.

"Dearest Elida

"Your letter of the 19th inst has just come to hand and I have set aside all other duties for the present to answer immediately for there is much that gives me pain contained in it; and but little that is pleasant, indeed it is a cruel cold unfeeling letter and I very much regret that you wrote or I received it. — I know and can determine the cause that has produced it; Nellie [Elida's older sister, Mrs. Matt Woods] is with you and her ruling passion is to tease you, regardless of the deep deep wound's that each tantalizing remark of her's cause's your sensitive spirit. — Why else would she when we were parted so far; you so sensitively jealous, thus tell you such baseless causeless stories to disquiet you; as the one she say's Vance told her about Miss Trego and myself. Vance yes he is a pretty guardian of my secret's and your's, he the man that has ever placed the stumbling block in my pathway instead of removing the obstruction's therein; and then Nellie to be the medium of his false report's; Nellie a person that from our first acquaintance until the present time has ever been opposed and seemingly hated our love and our intimacy; did she ever speak my praise; when calumnious report's relative to me have reached your ear's and her's and caused you pain has she at such a moment ever whispered in your ear the word of sisterly consolation; or has her tongue been known to utter the word's, Elida believe them not Charlie is true; no never; but with scornful laugh and bitter insinuation she has ever sought to make the barb rake deeper still within your soul; this I know is so why longer conceal the fact in all your family but yourself I have naught but enemy's. let them so remain I scorn their friendship and challenge their bitterest hate; I have never humiliated myself in the least to any of them and thank God I never will. — I have struggled and suffered in order to avoid just this; when my heart in it's every prompting has bidden me to take you to my side to call and claim you as my wife my own fear's lest my limited mean's should fail to enable me to keep you above the arrow's of their ridicule has prevented me from fulfilling the dearest wish's of my soul; and when I have thus labored whilst thus enduring you too have added to my suffering's by misconstruing my action's to mean apathy and indifference; I have alluded to this often to you by my statement's and in my letter's; and when I had even overcome my own fear's and contrary to the dictate's of my better judgement but in strict obedience to my passionate love; I calmly stated my objection's but my conclusion's to set them aside and hasten to you if you thought prudent so to do and asked you for your opinion candidly; I receive in reply this cold cruel letter; in which you consider that to reply candidly [sic] "Come" would be forcing yourself upon me;

and saying "no never can I thus say," but reflect back upon me cruelly by saying to me go and enjoy yourself this winter be both gay and happy; and leave me to be as I am — sad and unhappy. — Assuring me that if tired of my alliance you present me with my leave taking credential's freely at least this is the purport of what you say; Now such a letter I might calmly and uncomplainingly receive and peruse if I either deserved or expected it; but I have been true to you and therefore do not deserve it. I wrote you a long loving confidential and frank letter to which I expected a long loving frank reply; but instead I receive a lengthy letter breathing nothing but mis-giving's doubting's insinuation's and accusation's. tis well perhaps but it was and is certainly undeserved. — You ask me "how is Miss Trego, Annie Singer and Mr's Taylor." — Miss Trego is very well; I accompanied her one evening some week's since to a Catholic Fair and spent a very pleasant evening, a portion of yesterday and last evening I spent in her society at Mr McDonald's and enjoyed the Christma's quite well but not at all gaily. — Miss Singer is as usual I have called there once or twice in the last few month's and upon each occasion I have been received with mark of friendly regard. she has not retired to the scenes of domestic duties any more closely than has ever been her wont since I have known her, as she has ever proven as far as my observation went a girl of rare qualities of heart as also of character; one who is in every way eminently calculated to make home as cheerful as home should be. — I board at Mr's Taylor's as usual; she is well and as kind and friendly as ever; and always in all her conversations to or with me she has ever been your true friend quickly reproving and reprimanding me for anything that she observed upon my part that she thought was unjust to you in your absence. When I go to Sacramento this winter which will be in about a week I shall probably take a room at Heywood's now kept by Mr's Kennedy. I have thus determined this evening. This I believe answers in full all of the interrogatories that you propounded to me except perhaps half expressed quare [sic], as to whether or when Miss Trego and I expected to make a match; this I reply to by saying that I am not so fortunate with her as you say you are with your wealthy sheep man I have not as I am aware of in any way enlisted her feeling's; quite the reverse I assure you — although temperament is exactly suited. — I am quite surprised but not at all disappointed at hearing that you are the common servant of your family; only eight in family I wonder that they do not take in boarder's, but I presume that they can well manage to fill in your leisure hour's by requiring you to fix up such little niceties for your dear friend's as egg nog's ice cream's and such like; this is very nice but quite light work and I suppose that in order to keep you from growing too fleshy they occasionally require you to pack little Matty when he crie's or rub big Matty [Woods] when he complain's of rheumatism; it is extremely gratifying to think that your Pa in the midst of his wealth is thus careful and tender of his daughter. The harp and guitar lesson's that you speak of I suppose, are the gridiron and washboard, the instrument's of music usually kept in the kitchen and played upon by either the good housewife or servant girl; a strict acquaintanceship with which I doubt not you will speedily acquire under the guidance of your relative's. — I trust that when you do become my wife that although I may be poor, and unsalaried that you may at time's be elevated to the walk's in life of a Lady. — I remain as ever

Truly Yours

C E DE LONG"

85. Richard G. Stanwood (father of Edward B. Stanwood, of Marysville, who has so generously assisted in the preparation of these notes to the De Long Journal) was born in Gloucester, Mass., in 1830. He came to California in 1852, "around the Horn," and in 1853 settled in Marysville, where he engaged in the lumber business until 1885. He was secretary of the Marysville Woolen Factory from 1885 to 1899, when the mill was destroyed by fire. He was a Republican and a leading Mason. In 1865 he married Miss Ella Ball, sister of Marysville's pioneer jeweler, Charles Ball. She died in 1905. Mr. Stanwood's diary of an early ascent of Mount Shasta in company with Noah Brooks, the noted journalist and author, was published in the *Quarterly* of the California Historical Society, Vol. VI, No. 1, March, 1927. He died on April 20, 1917, leaving, in addition to the son above mentioned, a daughter, Miss Bessie Stanwood, also of Marysville.

86. On January 8, 1860 the *National Democrat* stated: "We have received from P. J. Devine, sculptor of Sacramento, a fine bust of Broderick. It is very life like in expression and quite faithful to the original in feature. Mr. Devine is a very superior artist." It is said that this bust is still preserved in Marysville, though it has not been possible to ascertain its exact whereabouts at this time. Devine made a number of plaster casts of his bust of Broderick (*Union*, Oct. 16, 1859) and one P. Mezzara, a sculptor of San Francisco, is said also to have made a bust of the dead Senator (*Union*, Sept. 22, 1859). The State Library possesses one of the busts by Devine.

THE JOURNAL FOR THE YEAR 1861*

(JANUARY TO JUNE, INCLUSIVE)

JANUARY 1861

Tue. 1, — ... buzzed around closing up my business called at McDougalds saw Miss Laura.¹ in the evening the Free Bridge Ball took place did not go over. the Evening very dark and stormy called at the St. Nicholas & took a New Year's cup in the parlor with the Ladies.

Wed. 2, — ... close pressed with business; in the afternoon ran around and bid good bye to several ... in the evening packed my trunks; and had a crowd in the office until late ...

Fri. 4, — Started for Sacramento on the James Blair;² found Eastman & N C Miller of Nevada and Gen Woods of Plumas on board; had a pleasant trip down; arrived safe[;] found the town full of buzzing candidates and greeting friends took a room in Heywoods building³ and board at the Orleans⁴ spent the evening with Miss Julia [Kennedy] whom I found *exceedingly* gracious [Ran] around town called on Mrs. Glover & Miss Benson had a fine time with them.⁵

Sat 5, — ... an awful amount of electioneering going on and in a most boring and approved manner ...

Mon. 7, — Senate convened. I was sworn in and took my seat. Ryan[,]
Gallagher, Hill and De La Guerra leagued with the Republicans and Breckenridgers and elected De La Guerra President in open Senate;⁶ I was awful wrathly spent the whole day unpleasantly in the evening held a caucus & got beaten on nearly everything; ...

Tue. 8, — Arose with a violent headache ... Julia bathed my head, and tended me all day, and I set up with her and her sick brother nearly all night had a fine time

Wed. 9, — Had a short Session of the Senate the Assembly still unorganized. called on McDougall promised to call on him again in the evening. called on him and informed him that I intended to support Edmund Randolph for the U. S. Senate. had a long & quite interesting interview with him attended a consultation of the Assembly they resolved to stick to Conness;⁷ called on Randolph told him I was for him and had a long interesting and friendly interview with him; he informed me that he was against secession & Pacific Republic, in favor of the state remaining in the Union if

* The legislative session of 1861 was one of the most important in California's history. The Civil War was about to commence, and to De Long went the honor of presenting to the legislators the first "Union Resolutions" which came before them. Visions of a Pacific Republic had heartened the secessionists who abounded in the State, and it was in this legislature that this program was definitely put at rest. Among the well-known names which here frequently appear are those of McDougall, Conness, Nugent, Casserly, Edgerton, Denver and Latham. Visits to San Francisco and attendance at several of Starr King's lectures enlivened the first half of the year, and Elida seems forgotten among a host of other "charmers," including the daughters of Col. Joseph P. Hoge, the well-known lawyer of San Francisco. In June, however, he tells his secret to little Laura Trego, and at about the same time he conceives the notion of standing for the nomination of his party for Congress.

alone and that he would support Lincoln's Administration in all conservative measures and appointments.⁸

Fri. 11, — ...came over and found Julia in a fit had a hell of a time bringing her to remained with her until late.

Sat. 12, — ...as usual had a short session and adjourned until Tuesday[,] then came down and spent almost all the afternoon with Miss C. [Carpenter]⁹ took a walk with her in the evening called on Miss Buckmaster;¹⁰ then came home Randolph and others were at my room; after they left I went over and staid until late with Miss Carpenter. talked over old times and had a good time generally.

Sun. 13, — ...wrote some letters and done some electioneering for Randolph; succeeded in getting Dr. Durst for him and getting Dougherty of Sierra favorable ...spent the evening with Miss Julia ...

Mon. 14, — ...went into the Assembly and remained most of the forenoon[,] our men proving traitorous and part of them going for Woods of Plumas ... in the evening went to Connesses' room and met our friends who were busy planning and counter planning ...

Tue. 15, — ...Spent the day in trying with the Assemblymen to fix up things for Speaker. Met Gen Rowe and others in the evening little Jimmy [Kennedy] was taken severely ill and Tozer [?] Senator Williamson & others set up very late with him expecting him to die

Wed. 16, — ...I introduced a petition from my County relative to the Broderick Expunging Resolutions and gave notice of the Resolutions¹¹ Spent the balance of the day in the Assembly and in figuring for Speaker. took lunch with Senator Harvey.¹² in the evening set up with Eastman and the women with Jimmy who was delirious

Thu. 17, — ...excitement; Burnell was elected Speaker by the assistance of the Republicans¹³ passed the balance of the day in and about home. reced Union Resolutions from Randolph and copied them for introduction tomorrow reced a letter from Elida and wrote to her; in the evening had a great time with Julia[,] Ella[,] Lizzie and Eastman playing children's plays

Fri. 18, — Attended the Senate in the morning; introduced my Union Resolution; Edgerton introduced substitutes; I had a spicy debate with Senator Watson we quoted fables on each other¹⁴ ... Julia had the head ache helped cure that and went to bed

Sat. 19, — ...went to the Melodeon with Frank Malone, Dutch Sam & others[,] then called on some gals at the old place where Mrs Wilburn used to live ...

Sun. 20, — ...Called at Mrs. Tilden's during the day saw the two Octas¹⁵ and had a long chat with them ... set up all night with Julia in tending upon little Jimmy

Mon. 21, — Went up to the Capital [sic] ...came home and went to bed; slept until nearly night was called on by Randolph and several others ... wrote out my Union speech in part ...

Tue. 22, — Attended the Supreme Court and argued the case of Maher vs C & J Riley against Col Saunders, which the Court took under consideration[,]¹⁶ then attended the Senate, introduced an Act to amend the Corporation Act, in the evening attended the Chapter and saw the Past Master's Degree conferred upon three Candidates

Wed. 23, — ...discussed my Corporation Bill.¹⁷ ...went to the theatre with Miss Octavia and saw the Martinett troupe¹⁸ then went home. had a little chat with the fair Julia and retired was woke up with a sweet and delightful kiss

Thu. 24. — Got on board the Steamer Swallow, and started up. got acquainted and had a grand flirtation with a Miss Gray; she got off at Plumas,— arrived safe reced many congratulations from all my friends. Called and saw my little rear window charmer [Laura Trego], then went to the Merchants & attended a party. had an exceedingly fine time

Fri. 25, — Felt sort of dull... took a buggy and Miss Laura and went out on a ride to the Reform School¹⁹ ... went around to the Chapter and saw initiations in the Most Excellent Master's and Royal Arch Degrees. Met Mr. Belcher who had just returned from the States and had a long chat about Father & home with him

Sat. 26, — Called in the morning and took breakfast with Mrs Taylor, then called on the Miss Singers and spent an hour or two. in the evening Frank Goad and myself were made Knights of the Red Cross in the Commandery

Mon. 28, — ...in the Evening was made a Knight Templar and Knight of Malta. Eventful night never to be forgotten

Wed. 30, — ...tried the case of Hogarth et al vs McAllis et al, against Judge Reardon and defeated him; made a good three hundred Dollar fee by the operation; the jury in Brady's case brought in a verdict of not guilty which was a great triumph in that case ...

Thu. 31, — Came down to Sacramento and hastened up to the Senate found a large throng there of Ladies & gentlemen; Senator Edgerton and Watson spoke on the Union Resolutions; the things looked very squally.²⁰

FEBRUARY 1861

Fri. 1, — ... Senator Crittenden spoke on the Union Resolutions;²¹ in the evening took Miss Benson & went to the Grace Church Festival at the Pavilion did not have a good time at all²² ...

Mon. 4, — Attended the Senate the House not in Session done but little business worked hard to paste up my Scrap Book called on Mr. Randolph found him convalescent. in the Evening went out with Julia and called at Crocker's²³ and bought Jim Slingerland his wife's wedding dress[,]
wreath[,]
lace &c²⁴

Tue. 5, — Attended the Senate had a little fight upon the Criminal Bill, Union Resolutions came up. Merritt & Hill spoke upon them; the Senate crowded with ladies,²⁵ — in the evening attended a consultation of the Democracy and had quite a lively time ...

Wed. 6, — Attended the Senate Burbank spoke; a large crowd in attendance;²⁶ ... met and was introduced to Miss Lenora — who was visiting Miss Julia in the evening two cauces [sic] met in the Assembly and one in the Senate. finally by appointing Committees we got up an agreement to meet to-morrow night altogether & ajourned

Thu. 7, — Attended the Senate had a very crowded house to hear Mr. Thornton speak. he spoke nearly three hours, made a red hot secession speech²⁷ in the evening had a little spree with the girls and then went to Caucus. had a devil of a time there in organizing finally passed a Resolution that we would all vote for a Resolution to go into joint Convention on the 20th. and adjourned with much bitterness and hard feeling. went to a gambling house with Irwin & others and lost \$15.00

Fri. 8, — Attended the Senate Watson and Irwin spoke upon the Union Resolutions²⁸ in the evening had a devil of a time with Miss Lenora, and finally broke our spree up in a devil of a row and went to the Casco to a party given for the Miss Watermans

Sat. 9, — Attended the Senate ... had a devil of a time making friends with Lenora, finally she came in[,] begged my pardon and we had a good make up took her to the Fair ...

Sun. 10, — At home all day most of the time in Company with Miss Lenora, in the evening got a carriage and took her up home ...

Mon. 11, — ... went to the Melodeon with Eastman Saw the play of La Tour de Nelse played it was indeed beautiful²⁹

Tue. 12, — Attended the Senate was called to the Chair, as President, Vance of Butte made a Union Speech[,] very conservative;³⁰ Miss Lenora Affleete [?] Miss Julia & Ella [Kennedy] came up there as also Capt Mitchell of Tulare; came down home with them; in the evening took Miss Lenora to the Theatre[,] saw Miss Julia Dean Hayne & Warwick play the beautiful play of Griselda³¹

Wed. 13, — Made my Union speech in the Senate; quite a large crowd in attendance; Miss Lenora, Julia & other ladies; was myself very much dissatisfied with my efforts received a good many congratulations on my speech.³² In the afternoon Mr Mitchell came down from Colusa to retain me in the case of the Sycamore Slough Co vs the Dry Slough Co. worked at his Complaint all day. in the evening went to the Melodeon with him

Thu. 14, — Attended the Senate ... remained until Mr Edgerton commenced his speech a large number of ladies were present³³ ... in the evening went over to the Orleans & saw the deaf, dumb & blind from San Francisco under charge of Mrs Clark.³⁴ then went up with Capt. Mitchell & engaged in a game of poker

Fri. 15, — Played at my game until about nine O clock came out loser came home and went to bed slept until late in the afternoon in the evening, attended a caucus. finally got to balloting. Denver 17, McDougal 15. Randolph 12 & Nugent received 10 votes³⁵

Sat. 16, — Had a lively time in the Senate on the discussion of the Crittenden Resolutions, my amendment — [?] was lost by a tie vote. I was called to the chair whilst the Senate was under a call and we had a lively time until we adjourned³⁶ . . .

Mon. 18, — . . . took Miss Lenora to the Theatre & saw Miss Julia Dean Hayne play the Countess in the play of Love;³⁷ Mr Kibbe came there followed us to the Restaurant and Lenora and I left there and pretended that we were going up to Mr Price's he followed us there and this placed us in a dreadful fix; I left her a short distance when she called to me and I ran back to her relief Kibbe put out and I escorted her in triumph back to Mrs Kennedy's this is a devil of a break³⁸

Tue. 19, — Attended the Senate during the forenoon in the afternoon escorted Miss Lenora up home and left her without adventure in the evening attended a caucus and the devil was to pay. Denver's men withdrew except Chase[,] and Nugent's men except Hill & Lippincott; finally we adjourned until to-morrow evening

Wed. 20, — . . . called on Randolph found him quite ill.³⁹ in the evening attended a Caucus. had a devil of a time I refused finally to vote; McDougal was then nominated only twenty four voting. he came in and made a speech. After which Eastman & I ran around town . . . found I was better than a hundred dead men yet. although sick or spleeny

Thu. 21, — . . . in the evening went to the Casco House to a party had a beautiful time; at midnight they called on me and I made a brief patriotic Speech, which was loudly applauded; after which we danced some more, and the Miss Waterman's sang some patriotic songs I then left with Gen. McDougal & others and run around until about 4 O clock . . .

Fri. 22, — Arose late. went up to the Capitol and worked hard pasting up my scrap book in the evening went to the Orleans to a party, and then went & got Miss Lenora and went to No. 1st Ball at the Pavillion⁴⁰ danced until about 4 O clock and then took Miss Lenora home had a devil of a time on the road and parted in high dudgeon

Sat. 23, — Got on board the Swallow & bundled into bed slept part of the way up [to Marysville] . . . in the evening went around to see Miss Laura saw her and Mrs Mc.[Donald] . . . then went up and argued my motion to dissolve the injunction in the Case of Ortman vs Deadman et al; and carried it. then went around to the Commandery Saw Jim Lassiter take the Red Cross; left \$500.00 with the Belchers to loan out . . .

Sun. 24, — Came down on the Swallow met with no adventure. In the evening Miss Lenora came down; she tried to be a little sulky but it soon passed off and we had a fine time & spent a pleasant evening . . .

Mon. 25, — Spent the day at home with Miss Lenora, went around and saw Randolph; also done some work in preparing my cases had a devilish good time . . .

Wed. 27, — . . . the Crittenden Resolutions came up I spoke; we debated

them until nearly four O clock and finally passed them.⁴¹ Went over and saw Miss Benson & Mrs Glover Came down home and took Miss Lenora to the Old Folk's Concert at the Pavillion—an immense crowd present⁴² . . .

MARCH 1861

Fri. 1,— . . . took the Antelope & came down to San Francisco with John Spring: put up at the Exchange⁴³; went up to the Bella Union Melodeon⁴⁴ . . . saw Hattie May on the Stage in the name of Miss Lawrence. Sent in my card but received no answer⁴⁵

Sat. 2,— Met Dr. Warfield⁴⁶ & moved up to his room; Met Wheeler took his deposition to be used in the case of McDonald vs Abbott ran around called on Mrs Tucker, saw Mrs Pershacker. In the evening went with Dr. Warfield to call on Miss Pauline Hoge called on her; her sisters came down and, we remained until nearly midnight playing cards &c. had a fine time.⁴⁷

Sun. 3,— Took Miss Pauline to Grace Church⁴⁸ & back home; in the afternoon went out to the Willows⁴⁹ on the cars with Wheeler & Warfield went to the Dashaway's & heard some speaking⁵⁰ . . . in the evening went around to the Melodeon got Hattie to come out in the Hall & had a chat with her after the perform[an]ce, . . .

Mon. 4,— Met the Committees at the Metropolitan & went out to the Woolen Factory,⁵¹ The Reform School; the Deaf & Dumb Asylum[,] the Roman Catholic Orphan Asylum; and so [forth], all over the City.⁵² in the evening called on Miss Warren on Mission Street . . . had a splendid time

Tue. 5,— During the forenoon went to see the Broom & Bucket Factories⁵³ and, called on Mrs Taylor; in the afternoon went over on the Steamer Petaluma to the States Prison [at San Quentin] with the Committee; played cards for some on the way over. looked about the prison awhile and then a portion of us went over to San Rafael and after supper got into a game of cards and played until daylight Tilden[,] Baker[,] Powell[,] and myself. I came out Seventy seven dollars ahead. Also in the morning visited the Protestant Orphan Asylum.⁵⁴

Wed. 6,— Came over with Tilden and Ryan; . . . made the acquaintance of a beautiful French Mademoiselle & became somewhat smitten, then went with Warfield to the Dashaway's Ball Saw Miss Rand, his e[na]morata. She shunned us both; also met Miss Tennant and a Mrs OConnor a gay dashing grass widow; Dr came home much exasperated I bought me a cane, some clothes and a head dress for Lenora

Thu. 7,— Got our horses and at 9 left for our ride with the Miss Hoge's went to Fort Point thence down by Seal rock onto the Beach; saw an immense number of seals; had a magnificent ride down the Beach turned up to the Ocean House, took lunch[,] had a swing &c; and then came back to Col. Hoge's; I hastened on board the Steamer having had to bid a hasty adieu to the charming ladies, and gay San Francisco it is indeed gay. I love it much;⁵⁵

played poker all the way up; with Powell, Tilden[,] Covington & others came out over eighty dollars winner.

Fri. 8, — Attended the Senate, felt very dull . . . met Miss Lenora escorted her up home then walked back to see the Military in procession at the funeral of Green Wildes⁵⁶ . . . in the evening went to the Metropolitan [and] saw the play of the Three fast young men . . .

Sat. 9, — Attended the Senate at twelve we went into a joint Convention to elect a U S Senator. I voted first for McDougall and three other times for John Nugent. had a great time. And much speculation upon my course. In the evening went with Dr. Warfield up to Eleventh and G Streets and called upon the Miss Howes.⁵⁷ found them most estimable ladies also met Miss Bancroft there; During the day called on Gov. Downey. got the Downey Guards [?] their guns; Skelton, his restoration to citizenship and C McCloskey his appointment as Commissioner of Deeds for Arizona

Mon. 11, — Attended the Senate. Spoke on the Horace Smith change of venue bill; also on some incidental motions relative to the House of the Inebriate Bill.⁵⁸—Went into joint Convention and balloted several times; voted all day for Nugent except a flier for Gwin^{58a} . . .

Tue. 12, — . . . feeling very unwell retired early My bed was visited once or twice my health kindly inquired after and a shower of blessings and kisses bestowed . . . voted for Nugent in joint Convention

Thu. 14, — . . . attended a party at Mrs. Nevitt's^{58b} it was largely attended by the Elite. had a gay time had a little flirtation with the Governor's Sister Miss Downey;⁵⁹ after which by special request called on Mr. Nugent at his rooms he tried to bring me to his cause talked of Congress &c . . .

Fri. 12, — . . . I passed a resolution to ajourn on the 8th of April. Went into joint Convention; voted first for Nugent then for McDougal when I thought my vote would elect him; he came within one vote of having enough as the Republicans would have all turned for him. *Scary* times In the evening attended the Cock Pit saw a good deal of good fighting came out \$7.50 winner

Sat. 16, — . . . went down in the Cock Pit and staid until nearly midnight betting on cock fights.

Sun. 17, — Felt very sick did not get up until late; afternoon went with Sam Wigenstein out on a ride to Buck Harrigan's and the Lake House;⁶⁰ played, Shuffleboard, Winnemucca; and Seven up until return time then returned having some fine racing . . .

Mon. 18, — . . . went into joint Convention balloted twice I did not vote, ajourned over until to-morrow . . . Breckenridgers and Douglass bolters held a caucus nominated Nugent; & they had a great time all got drunk &c. things look squally; Miss Julia came to see me and endeavored by many inducements to get me to go for Nugent . . .

Tue. 19, — Attended the Senate as usual; went into joint Convention had a thundering time on the third ballot. I went for McDougall and with me went

O K Smith, Piercy[,] Eastman and Foster, *which nominated him*; Convention ajourned amid the greatest confusion; McDougal was not really elected but got his Certificate . . .

Wed. 20, — Attended the Senate, done nothing but argue whether we could correct Convention journals, then went into joint Convention and balloted unsuccessfully in relation to Resident Physician I nominated W. P. Tilden in the morning went with Joey [Phillips] & Mrs Crary & called on Miss Buckmaster at her school in the afternoon took Joey out on a ride to Smith's Gardens⁶¹ . . .

Fri. 22, — . . . went into joint Convention again for Physician did not succeed in electing any person. ajourned until Tuesday. When we got back into the Senate we made a captious fight to ajourn; I was called to the chair, & the Senate got into a plug muss over the Senatorial matter; Clark & Watson had some words. ajourned amidst hard feelings; in the evening I took Miss Joey to Benton's Church and heard Starr King's lecture upon Washington was greatly impressed with it⁶² . . .

Sat. 23, — . . . the Senate . . . still mixed up and quarrelling over the Senatorial imbroglio.—in the evening went to the State Library a little while and then went down to Mrs Nevitt's with Senator Harvey to a little parlor party and had a fine time after which I ran around town, went to the cock pit; . . .

Sun. 24, — Arose rather late . . . in the afternoon went over to the State Library and worked nearly all the afternoon preparing some of my cases for trial . . .

Mon. 25, — Took the boat in the morning and went up to Marysville . . . found a host of warm friends who met me with cordial greetings. ran around fixing up business and getting some affidavits copied in Wetmore's case Went to see Miss Laura and spent nearly all the evening with her as McDonald and family were gone to the theatre. had a loving time with her. she is indeed a dear sweet charmer. left before the folks [returned] and went to the theatre a little while . . .

Tue. 28, — Took the morning boat and came down, with the Reform School Committee, & the Theatricals . . . played seven up with Sam Merritt on the way . . . went into joint Convention for Physician without success. reced a note from Octa & went over & saw her and Julia . . .

Wed. 27, — . . . went into joint Convention again, came within two votes of electing him, ajourned[,] after which in the Senate I had a personal difficulty with Senator Irwin over the telegraph bill. for all of which he subsequently explained . . .

Thu. 28, — . . . went into Convention for Physician, failed to Elect; then went into Convention for Boundary Commissioner; to our surprise McKibben was defeated and Foreman elected⁶³ . . .

Sat. 30, — Arose early got the ladies Miss Josephine and Mrs Crary and got on board the Swallow and came up to Marysville the whole country was under water; had a very pleasant trip up. took the ladies home in the eve-

ning appeared before Bliss at Chambers to argue the case of Rolingson vs Wetmore . . .

APRIL 1861

Tue. 2, — Came down on the Swallow, escorted Mrs. Kirwin; Mr. O'Neale & a host of other Marysvillians came down. after being in the Senate a short time we went into joint Convention and after fighting parlimentarily for a long time we at last succeeded in fairly electing Gen James A McDougal on the first ballot.⁶⁴ . . .

Wed. 3, — . . . had a little sparring relative to the Rail Road Bills;⁶⁵ then went into a joint Convention relative to the Physicians for the Insane Asylum and after a severe contest came out triumphant electing W. P. Tilden of Butte as Resident Physician and Mr. Clark of El Dorado as Visiting Physician⁶⁶ . . . attended the Concord Lodge No. 117. & saw a Brother named Wiggins raised a Master Mason⁶⁷ . . .

Thu. 4, — . . . raining some[,] the River booming high and the whole country under water a little more and Sacramento is submerged.⁶⁸ in the evening went to the Sacramento Theatre Melodeon. saw Hattie May there she sang Annie Laura, the Auctioneer song and played in an afterpiece. received a letter from Dr Warfield containing a note overflowing with love from Miss P[auline Hoge?] with strong invitations to come down.

Sat. 6, — . . . took passage on board of the Chrysopolis⁶⁹ and went to San Francisco. played poker on the way down . . . went to Warfield's office . . .

Sun. 7, — . . . in the afternoon went out on a walk went up on telegraph hill with Warfield in the evening called at Col. Hoge's, and with Warfield took the young ladies to Dr Scott's Church⁷⁰ and heard him deliver his sermon relative to Revelations; got into the wrong pew and met with a mortification that made me get out of it in a hurry.

Mon. 8, — Got a carriage and drove with Warfield and the young ladies out to Lone Mountain Cemetery⁷¹ and over to the Mission, visited Broderick's grave,⁷² and the old Mission church⁷³ came back, had an affectionate adieu; bought some pictures & sent up to the Warren Engine Co in the evening came up on the Chrysopolis. Wheeler took me down & introduced me to a Mrs Sinclair, whom I escorted up; we struck up a treaty for life, . . . found her an old acquaintance. arrived safe after a very *pleasant* trip

Tue. 9, — Arose about noon went up to the Senate awhile. did not feel like doing any business much so I left. visited Miss Buckmaster's school, to engage tuition for Mrs. Sinclair's girl. Called on her once or twice during the day. Met her husband. in the evening attended the Chapter and saw the Royal Arch Degree conferred. it was very well done . . . spent the evening with the ladies Kit Rudd and Donnelly the poet who sang &c.

Thu. 11, — attended the Senate remained in Session until pretty late I was in the chair and we dispatched a great deal of business. in the evening went to the St George met Miss Nellie Hall . . . took a long walk and parted fast friends, then went to the Orleans saw Mrs S.[inclair] staid at the Hotel all night.

Fri. 12,—...went to Dr Bassett's Circus with Sam Wigenstein and Harry Shelton. Company in star spangled regalia looking beautiful⁷⁴...

Sat. 13,—...did not remain in session but a short time. in the evening played poker with John White[,] Hank Sheldon and John Eagon, until nearly midnight. win \$45.00. Mrs Sinclair left for the bay...

Sun. 14,— Took the Goodman Castle⁷⁵ & went up to Marysville did not get started until 10 oclock & did not arrive until after dark...

Mon. 15,—...in the evening took the degree of Rebecca, and whilst the Lodge was in Session went out & saw Laura & spent some time with her. took supper at Mrs. Fall's. made the acquaintance of Miss Van Ess... went to the Melodeon awhile...

Tue. 16,— Took the Swallow & came down Escorted Miss Van Ess... in the Evening took a long walk with Diffendorf, Durst & Montgomery who paid me \$1277.32 on account of the judgement in the case of Maher vs. Reily's.

Thu. 18,—...reced word from Mrs Sinclair went around to see her at the Rail Road House but she was not at home...went up with a party to Flander's Room and played poker until late. came out forty one dollars winner

Sat. 20,— Took the cars⁷⁶ & went up to Folsom⁷⁷ with nearly all the balance of the Legislators and had a beautiful time roamed over the Hills[,] danced in the Theatre, rode on the cars out on the new Bridge⁷⁸ &c. escorted Mrs Heintzelman; Miss Lenora & her sister Mrs Kibbe were on board had a lofty time with them mad[e] Gallagher who escorted Lenora mad & done lots of other mischief...

Wed. 24,— Attended Court [at Marysville]non suited Mitchell & Swezey in the case of Rolingson vs W—[?] and went to trial in the case of Rolingson vs Wetmore got them tangled in their evidence in such a manner as to compel them to amend their complaint; and the case was continued. in the evening by telegraph we heard the startling news that Fort Sumpter had fallen. and the whole Union in a blaze immense excitement prevailing.⁷⁹ called and saw my lady friend [Mrs. Sinclair] at the Western...

Thu. 25,—...turned out with the Lodges of Odd Fellows & went to Yuba City... Came in town and went around to the Armory and attended a meeting of the Marysville Rifle Corps. introduced my Union Resolutions which were unanimously adopted and upon my motion all there took the army oath of allegiance

Fri. 26,— Joined in the celebrations turned out with Oriental Lodge No. 45. had a grand parade...reced a flower from the balcony from the hands of Mrs Galloway & wore it as my badge of honor throughout the day. in the evening took Miss Laura Trego and Miss Joey Philips to the party. Acted as floor manager tried to not let one know I took the other & managed the thing pretty well until very late the murder then got out and all did not end so very agreeably. An immense throng filled the pavillion; Gov. Downey present. I introduced him to many.⁸⁰

Sat. 27, — ... got on a devil of a spree with Hunt and his partner of Oroville and some others. went to bed; the boys came around and awoke me and took me to the Armory to the Co meeting. McQuaid McNess, and Mace refused to take the oath and were let out of the Co.—a hot debate betwixt Mace, McQuaid[,] Jewett and myself took place.⁸¹

Sun. 28, — ... news again by pony still more exciting the East appears to be all in arms. and our people excited to the highest pitch.⁸² in the evening called and remained until late at McDonald's. met Hicks there and did not enjoy myself much.

Mon. 29, — Took the Young America⁸³ and came down. Escorted Miss Bradford ... sent down a hundred dollars to San Francisco for U S Digests⁸⁴ ...

MAY 1861

Wed. 1, — Attended the Senate was in the Chair nearly all day. during the time the Swamp Land Bill⁸⁵ was passing, had a great time arresting some of the Senators &c in the evening took the girls to see the Martinetti troupe, after which came home; a street fight commenced, some shooting but no harm done. news of the attack by the Baltimoreans on the Massachusetts men reached here.⁸⁶

Thu. 2, — ... went with Joel Stoddard to the Melodeon saw Hattie May she looked beautiful

Sat. 4, — ... took the Antelope in the afternoon and came down to San Francisco. played poker all the way down and came out considerable loser

Sun. 5, — Went to the Metropolitan and took a room. remained there nearly all day. in the evening went with Hitchens[,] Warfield[,] Kimball and Baker to Gilbert's Melodeon⁸⁷ ...

Mon. 6, — Spent the day running around town. went into and through the Mint;⁸⁸ called on Mrs Sinclair ... in the evening called at Col Hoge's with Warfield, met Mr Myrick there; after we left I called again on Mrs Sinclair ...

Tue. 7, — ... visited the Mint with Warfield & Miller after dinner walked to the wharves with Warfield looked at several fine clippers⁸⁹ The Democratic State Central Committee met,⁹⁰ and after appointing a sub committee on Resolutions &c adjourned I met with the sub Committee we drew up strong Union Resolutions & agreed to call a huge Mass Meeting on the 4th day of July.

Wed. 8, — Breakfasted with Warfield Attended the meeting of the Committee had a stormy time all day, but finally got our plan of action adopted by the Committee in the evening called with Warfield on Misses Warren and Le Sac, spent a very pleasant evening.

Thu. 9, — ... attended a party at Col Hoge's it was indeed a grand and beautiful affair, everything was got up in regal taste; I waited upon a Miss Parker home with whom on the way I became much interested. Misses Pauline and Mary were all graces and kindness whilst the Col & his wife did the greatest honor to the occasion.⁹¹

Fri. 10, — Knocked around town all day. attended with Warfield a diamond auction at Duncan & Co's⁹² I purchased a splendid brooch pin & a cluster ring. he also purchased some . . .

Sat. 11, — The great Union demonstration in San Francisco, the whole city buried in flags. flags on horses, veichles [sic] and carried by boys and girls through the street. I passed off the day by running around everywhere listening to the speeches of Latham[,], McDougall, Shields[,], Sumner & others.⁹³ in the evening went with Brocklebank. called at Miss Warren's found that the girls had retired, went to Hoge's found Lee & Warfield there and soon left. then went & called on Miss Parker and spent a very pleasant evening with her . . .

Sun. 12, — Spent the day with Dr Tom & others. went out to the Wil-lows played Shuffle board, ten pins & done some shooting. saw the government camels.⁹⁴ in the evening went with Warfield and heard T Starr King preach — heard a fine sermon⁹⁵ . . .

Mon. 13, — . . . took passage and came up [to Sacramento] on the Antelope an immense crowd came up. a large number of Masons who came up to attend the grand lodge. and the ceremonies of laying the corner stone of the Capital [sic]

Tue. 14, — Attended the Senate during the day. the matter of fraud of the Secretary Tozer was up and consumed most of the day . . .

Wed. 15, — Was out all day celebrating the laying of the corner stone of the Capital by the Masonic Fraternity, I turned out with the Knight Templars. was in the saddle all day and had prodigious great times⁹⁶ in the evening called on the Hoge family and Miss Truett at the St George with Colt spent a pleasant evening . . .

Thu. 16, — Attended the Senate; had a very busy day and much argumentative sparring the Miss Hoges & Miss Truett came up and Watson and I had a bout: in the evening went to Murray Morrison's to a party, a fine select party gathered and we had a fine time⁹⁷ . . .

Fri. 17, — . . . saw the young ladies to the boat; reced a very interesting little note from Miss Pauline enclosed in a handkerchief — in the evening reced an invitation from Miss Lenora to accompany her to a promenade concert at the Hall.⁹⁸ accepted and took her and had a very fine time.

Sat. 18, — Attended the Senate had a lengthy session and a very busy day. I was in the Chair part of the time took a recess until evening and then met and held a lengthy evening Session after which I went into the Assembly and heard Montgomery and Conness debate fool Kungle's Resolution to have the State of California recognize the Southern Confederacy⁹⁹ after which I went to the Agricultural Hall to attend a meeting of the Union Men. I made a short address to them after Conness.

Sun. 19, — Worked all the forenoon in pasting up my scrap book in the afternoon took a long walk with Randall and discussed what we should do about the State Convention as he wanted the Delegation for State Printer . . .

went up to Mr. Kibbe's and remained until late in the evening had the devilishest romp with Mrs Kibbe[,] Nona [Lenora], Miss McGinniss and the other girls that I ever had. Enjoyed myself very much...

Mon. 20, — Last day of the Session Met at 10 and adjourned precisely at 12. a number of ladies present. in the evening Gallagher and I escorted Misses [Lenora] Afflick & McGinniss up to Nonies they soon returned and Nonie & myself called on Heacock found he had company and we then went to Brainard's & had a great candy pull. I saw her home and then came home in a terriffick [sic] thunder storm...

Wed. 22, — ...went out to the races with Sam Wigginstein made some small bets with Cope and win them.¹⁰⁰ in the evening called at the Orleans and had a long sit in the bridal chambers and the parlor, ... had a little sentimental pass and farewell with Miss Katy McElvoy the little creature manifested the sentiment plainly. bade them all farewell...

Thu. 23, — Came up to Marysville on the Swallow played poker on the trip up with Capt Sommers, the pilot and Mate. Eastman came up with me. in the evening called on Miss Laura then went to the drill of the Marysville Rifles at the Pavillion drilled there for a long time a number of ladies present. came back and saw Laura had a long confidential talk with her intimated my intention to cease our intimacy and parted in sorrow at a late hour.

Fri. 24, — ...went up to the Chapter awhile and then went to the Theatre, met Eastman & Irwin there saw Mrs Julia Dean Hayne play in the Love Chase...

Sat. 25, — ...in the evening Senator Latham spoke at the Pavillion to the Union Club¹⁰¹

Sun. 26, — ...went with W C Belcher up to my ranch, and traveled all over it; came back & went up to Judge Blisse's, took a stroll with Josephine and finally had a long sail up and a tedious row back Feather River; had a fine time beautiful night and she sang sweetly...

Mon. 27, — Col Baker¹⁰² and others called to see me; wrote several letters and commenced moving in earnest to secure the County delegation for Congress.¹⁰³ in the evening attended drill of the Marysville Rifles had a splendid drill

Wed. 29, — ...saw Laura at the window & she beckoned me over; went over and we had a long time alone together confessed our loves, and I announced an insuperable barrier to exist parted in sadness after a very affecting time¹⁰⁴ in the evening went around with her and got some strawberries.

Thu. 30, — ...called at Judge Singer's and staid awhile. then went up to the Court House and witnessed the proceedings of the Breckenridge County Convention assembled to elect delegates to the State Convention they came out strong for the Union much to the disgust of Secessionists amongst themselves;

Fri. 31, — ... went out to Judge Blisse's & went a fishing with Miss Josephine had a devil of a time with the musquitoes and hot sun ...

JUNE 1861

Sat. 1, — ... went with Henry Benson, & Peter Misemon down to Bear River and in the evening delivered an address before a Union Club in Plumas Township; joined the Club as also did Henry. had a fine time ...

Sun. 2, — ... came up home ... in the evening took Laura out on a walk; got some strawberries and had a fine time; spent the evening at the house let them know that I was a candidate for Congress ...

Tue. 4, — ... Bill Cook of home called on me. In the evening Gen Shields addressed a Union Meeting, at the Pavillion and I followed him we came out very well.¹⁰⁵ waited upon Miss Annie Singer home.

Thu. 6, — Started for Colusa with Charlie L Thomas. arrived without adventure. a fine meeting assembled, spoke about two hours to them in front of the Court House raised a fine pole and an old Tennessean Jackson hero raised the banner.¹⁰⁶ Started home. in the Buttes the horse got frightened[,] ran into a stone wall[,] threw us both out[,] ran away and played the devil generally Thomas was quite badly hurt he came into town on another team and I staid at Brittain's all night

Fri. 7, — Came home all right ... in the evening attended the lecture of T Starr King on the Union[,] which was one of the best things I ever heard¹⁰⁷ then went to the St Nicholas to a dance had a splendid time.

Sat. 8, — ... in the evening went to the Commandery and then went to the Armory of the Rifles and had the highest kind of a blow out wine flowed in profusion.

Sun. 9, — ... took a buggy ride went out to Blisse's & then around to the Park[,] the lovely Laura with me I told her my secret for not being matrimonially inclined. the darling creature stood it like a major[,] kissed me and we came into town went after some strawberries and then came home and the old folks went we then enjoyed the opportunity and had a few pleasant minutes

Mon. 10, — ... attended the Company meeting of the Rifles, at the new armory[,] then marched up E Street to the Armory. had a drill and marched back

Tue. 11, — ... went around to the Democrat Office to try and get the consent of Gohram [sic] and others to call our meeting on Friday evening could not do it found that Gohram, Presbury & C. were making a devil of a fight against me¹⁰⁸

Wed. 12, — ... Went up to Long Bar with Charly Crackborn to see about delegates there. In the evening called on Miss Laura just before dark and had a fine little time with her ...

Thu. 13, — ... settled the Abbott suit and reced One Thousand Dollars and costs, in the evening attended the drill of the Rifles drilled until nearly midnight, ...

Fri. 14, — . . . went up to call upon Miss Harris at Col Watkins found the young folks away and the Constable seizing the Col's furniture for debt. I interfered paid the judgment out of my own pocket.¹⁰⁹

Sat. 15, — Spent the day at home doing some business and preparing for my political contest to-night the Eurekas left for San Francisco. In the Evening held our primary Election at the Court House. I ran a ticket composed as follows. De Long, Fowler[,], Leland, Dougherty, O'Brien[,], Carr[,], Campbell[,], Welch, Bellrude, and Murray. Gohram ran his with four of my men, and himself[,], Judge Reardan, Kyl, Pacy[,], Mesick & Dan O'Farrell. I beat them by over 100 Majority clean got ready to go below & join the Eurekas. went around to the Warren's House and had a great spree went to McDonald's & he got ready to go down also. we chartered the Defiance¹¹⁰

Sun. 16, — Got aboard about 3 O'clock in the morning. *heard of Senator Douglass's Death*¹¹¹ half masted the flag. ran down without incident got on board the John T Wright at Sacramento. the Confidence Engine Co. came aboard. went down to the Bay in good style got in about seven O'clock, was met by our friends and escorted to the Metropolitan Hotel; after supper went to No. 9's House¹¹² and was hospitably received. made the acquaintance of the two Goffs[,], John Short Jr and others. ran until very late and had a very fine time

Mon. 17, — Mustered early in the morning and turned out in the procession of thirteen hundred firemen; marched through all the public streets and then into Platt's Musical Hall. I was invited on the Stage Casserly was the Orator and after him I was loudly called. Boruck said a few words and I then came forward for fifteen minutes I could not be heard for the applause and cheers I then spoke briefly but pointedly and made probably one of the best speeches I ever made in my life, & left amidst[t] the plaudits of the crowd[,], ladies waving handkerchiefs & casting me bouquets. marched home & dispersed took dinner with No. 9's and in the evening had another splendid run until nearly morning¹¹³ Eat breakfast with Harve & Mary Carpenter

Tue. 18, — Spent the forenoon with McDonald out at the Willows and Hayes Park.¹¹⁴ in the afternoon partook of a collation at 9's made a speech & presented them with a trumpet; then marched on board the Cr[y]sopolis with Phoenix Engine Co of Benecia & came up home. . . . arrived at Sacramento about mid-night just in time to see a big fire; went ashore *and called on Mrs. Kennedy*. went out and got supper, another fire broke out and I ran to that[,], then just before morning went to the boat and went to bed

Wed. 19, — Got aboard the Young America feeling like a wooden man; had a most awfully tedious passage up river, was met by the Warrens & delegations from the other companies & was escorted to the Hotel Du Nord where we partook of a fine collation & were dismissed I felt very sick & went around to McDonald's and Miss Laura treated me as kindly as a sick fireman deserved. went out to a saloon with her. also went around to the Warren Engine House where we had several baskets & plenty of speech making

Thu. 20, — ... found that my County had all went for me except Rose's Bar. In the evening attended a Company drill of the Rifles on the Plaza. had a fine drill

Sat. 22, — ... in the evening went up and called on Judge Singer's family Stanwood & I took the young ladies out on a walk got some cream &c. Annie & I then took a long walk out beyond Walsworth's and christened the old post. the evening beautiful with a round full moon.

Sun. 23, — ... Saw Tom Findlay State Treasurer who assured me that he was for me for Congress and thought Nevada County would go for me¹¹⁵

Mon. 24, — ... drilled about two hours on the Plaza the evening very warm

Wed. 26, — ... acted as a prosecuting Atty against a woman for cutting another succeeded in the case ...

Thu. 27, — Went down to Sacramento on the Swallow, played poker with the Capt & Pilot going down. Saw Downey presented Kibling's petition for a pardon; saw Casserly[,] Conness & lots of others took a room at Mrs Kennedy's in the evening walked up home with Nona called at Mrs Kibbies [sic] & several other places; spent most of the evening with Mrs. Kennedy & Ella, had a *fine time*

Fri. 28, — Came up home, played poker with Capt Summers and Ben Mosley almost all the way up. like to have roasted; ...

Sat. 29, — Went down with Henry to Christian [Hill]¹¹⁶ to speak at a pole raising got there early and loafed around the dull hot place all day in the evening or towards evening we got the pole up & flag flung out all right; I then spoke for about an hour standing in a wagon, all went off well and satisfactorily ...

Sun. 30, — ... called at McDonald's awhile and for the first time saw the large comet;¹¹⁷ the largest one I ever saw. ...

NOTES TO THE JOURNAL OF CHARLES E. DE LONG FOR 1861

1. See Note 47, 1860.

2. See Note 291, 1858.

3. Heywood's Building was the establishment kept in 1861 by Mrs. Kennedy, mother of Julia and Ella Kennedy (see Note 35, 1858). It was at Second and J Streets, Sacramento, and also included the "Fashion Restaurant," Henry Heyman, proprietor. (Advertisement in *Union*, Jan. 3, 1861; *Sacramento Directory*, 1860.)

4. See Note 1, 1859.

5. Mrs. Octavine Glover (see Note 127a, 1859) and Miss Octavia Benson were "the two Octas" of the entry for January 20, 1861.

6. Senator Don Pablo de la Guerra, son of Don José de la Guerra y Noriega (who had come to Santa Barbara in 1806 as Lieutenant of the Presidial company) and Maria Antonia Juliana Carrillo, was prominent during the early American period in California. He married Josepha Moreno Castro, and was a member of the Constitutional Convention of 1849, State Senator (Whig, 1849-51; Democrat, 1854-57, 1860-61) and District Judge, 1864-73. He died at Santa Barbara, February 5, 1874.

7. John Conness, member of the Assembly from El Dorado County, was later one of the bulwarks of the Republican Party in California. He was a strong pro-Union man, and was the original Republican candidate for United States Senator. In the end, however, the Republicans withdrew him and supported McDougall, as the only method to elect a pro-Union Senator in the face of strong and unbroken Breckenridge forces in the Joint-Convention.

8. Edmund Randolph soon changed his views respecting Lincoln. In July, 1861, though then in his last illness, he appeared unexpectedly at the Breckenridge convention, and hysterically shouted, "Do you want a traitor? Then I am a traitor. For God's sake, speed the ball, may the lead go quick to his heart, and may our country be free from the despot usurper who now claims the name of President of the United States." (See Bancroft, *History of California*, Vol. VII, p. 283.)

9. Miss Mary A. Carpenter was one of De Long's old-time friends at Young's Hill. (See Journal for 1855-57.) She was evidently a teacher, and the Sacramento Directory for 1861 lists her as residing on the northwest corner of G and 12th Streets. (See also entry for June 17, 1861.)

10. Miss L. A. Buckmaster, formerly superintendent of the girls' department of the Marysville School (See Note 11, 1860) was in 1861 principal of the "Young Ladies Seminary" on M Street between 6th and 7th, Sacramento. (Sacramento Directory, 1861; T. & W., *Sacramento County*, p. 118.) It was stated of this school (which opened on January 14, 1861) that "a system of education is marked out that will secure the most desirable and complete development of the mental, moral and physical powers of the pupils." (Advertisement in the *Union*, Jan. 12, 1861.)

11. The *Union*, on January 17, reported that in the Senate De Long had stated that he had received a petition from certain citizens of Yuba County "praying that the celebrated resolutions relative to David C. Broderick be expunged from the Journals of this and the other House." This petition, which was signed by S. G. Williams and some 180 others, stated that these resolutions reflecting upon Broderick "were, as we believe, wrong in fact, and did not, in any sense, reflect the feeling or sentiments of the people of this State and are now in direct antagonism to the same. The expunging of these resolutions from the records was asked "in order that justice may be done to the memory of a great man and noble citizen, and that the character of our people for justice may be vindicated." After much debate as to what should be done with it, De Long withdrew the petition for the time being.

12. Obed Harvey was a Douglas Democratic Senator from El Dorado County, 1861; Union Democratic, 1862; Union, 1863; and Assemblyman, 1872. He was a physician, a native of New York State, and arrived in California from Illinois in 1850, settling in Placerville. In 1869 he moved to the new town of Galt and became its leading citizen. He died on January 17, 1894. (*Themis*, Feb. 17, 1892, p. 2; *California Blue Book*, 1907.) Senator Harvey is not to be confused with Major Walter H. Harvey, first husband of Governor Downey's sister, Eleanor. (See Note 59.)

13. Ten days had been consumed in the Assembly's struggle to elect a speaker. Burnell, the Douglas nominee, was finally elected, after Conness, the Republican nominee, had withdrawn and the Republicans had voted in a body for Burnell.

14. To De Long goes the honor of having been the first to present Resolutions to the California Legislature in support of the Union. These Resolutions, as well as the proposed substitutes of Senator Edgerton, were referred to the Committee on Federal Relations over both De Long's and Edgerton's bitter protests. These and other Resolutions on both sides of the controversy are reprinted in Davis, *Political Conventions*, pp. 130-56. De Long's Resolutions follow:

"1. That it is proper that the legislature of California should, at this time, give expression to the sentiments with which the people of the state are inspired by the unhappy events which are occurring within these United States.

"2. That California cherishes a loyal devotion to the union. Our honor and our pride are in its flag. Our safety and our prosperity depend upon its continuance. Through a glorious and beneficent history we trace our rights and liberties to the founders of the union, and with its destruction would go down our hopes of their preservation.

"3. That California will never despair of the union.

"4. That, remote from the scenes and unaffected by the causes of the strife of sections, with a population drawn from every state, who entertain all opinions, and yet upon her soil are bound together by a common allegiance, California, by her position, by the feelings of her people no less than by her interests, is called to assume the part of a peacemaker, and to labor to restore harmony to the states from which she has sprung, and of whose might in union she is the noblest monument.

"5. That California, with an unbroken faith in the power of reason and justice, and in the efficacy of peaceful measures, will recognize no policy but the preservation of the union in all its parts, and the enforcement of all its laws. To the wisdom and patriotism of those to whom the people of the United States have committed the powers of government she entrusts the selection of the means necessary to the accomplishment of those ends, and pledges them her support.

"6. That the governor be requested to transmit a copy of these resolutions to our congressional delegation, to apprise them of the true sentiments of their constituents,

to serve as their instructions and guide in all questions that may arise for their consideration, and that they may be informed that California *repudiates* the suggestion of a Pacific republic, and of any other confederacy than our present union, as fraught with all the dangers and mischiefs of *treason*."

De Long's statement that he received these Resolutions from Randolph is of interest and importance. It throws new light on Randolph's activities and point of view during this period.

In the course of the debate on the reference of the resolutions, Senator Watson of Santa Cruz suggested that "some young gentleman" was trying "to play a second Jackson, and trying to show his ability to save the country." He added, "And here I will relate a fable told by old Aesop: A certain frog, emulous of the size of an ox, tried to make himself as large, and he commenced swelling and swelling, until finally he burst his biler. I leave the moral of the story to the Senator from Yuba."

De Long replied, saying among other things, "I believe I know certain middle aged men who never will and never could become second Andrew Jacksons. . . . The Senator has given us a fable from Aesop. I can reply to him with another from the same source. A certain fox once went into a visor-maker's shop. In the visit he was startled to see the number of faces, but after a closer inspection, and after turning them around and finding they were only false faces, he said: 'What a pity it is that such a many fine-looking faces have no brains.' Now, the Senator from Santa Cruz has a fine face, but 'tis a pity he has no brains. [Laughter.]"

15. Mrs. Tilden at this period kept a "private boarding house" at Number 10 Seventh Street, Sacramento, and J. T. Glover is stated in the 1861 Sacramento Directory to have made his residence there at that time. (See Note 127a, 1859, and Note 5, above.)

16. The case of *Maier vs. Riley*, 17 Cal. 415, involved a contract for the sale of certain cattle. De Long represented the respondents (plaintiffs in the lower court) and successfully defended the appeal.

17. This was Senate Bill 20, and is probably the Act approved April 4, 1861 (Chap. CIV, p. 84, Stats. 1861), which made certain important changes in the general corporation law of the state.

18. The Martinetti Ravel Troupe appears to have been somewhat of a traveling vaudeville organization. On Jan. 10, 1861, they advertised in the *Union* that "the performance will commence with evolutions on the TIGHT ROPE, by Master Paul, Angelo, Chiarini, Miss Virginia Chiarini and Androuche Lehman. To be followed by the beautiful Ballet, entitled CONTRABANDIST, Ending with eight beautiful tableaux. After which, graceful groupings of agility by the MARTINETTI FAMILY. The whole to conclude with the Comic Pantomime of THE FOUR LOVERS!" On the 17th they announced "the new Ballet entitled VIVANDIERE" and "the Fairy Pantomime called *Magic Trumpet*." On March 4, 1861, the San Francisco *Herald* announced that the troupe had returned from "a long and most successful tour in the interior."

19. In the *Appendix to the Journals of the Senate for the 13th Session* (1861) is the report of John C. Pelton, Superintendent of the Reform School, bitterly complaining of the remote and unhealthy location of the school and of the action of the Committee which selected the site. (See Note 81, 1860.)

20. Edgerton led off in favor of the Resolutions in a speech some two hours long (reported almost in full in the *Union*, Feb. 1, 1861). He was followed by Watson, who made a vitriolic speech attacking the Republicans as being desirous of war and the destruction of the Nation. Watson had introduced a resolution in favor of conciliation with the South.

21. Crittenden, a Southerner, asked, among other things, that a vote of the people of California be taken to determine the course which the state should follow in the crisis.

22. The Grace Church Festival was held at the Pavilion, and the *Union* (Feb. 1, 1861) declared that "the ladies of the church have used great exertion and made extensive preparation for an elaborate and somewhat unique entertainment of their friends," including a "Yankee Kitchen," and a band for dancing.

23. In 1861 Charles Crocker's dry goods store was located at 248 J Street, Sacramento. He later became one of the "Big Four" of the Central Pacific Railroad, and took charge of construction, an early account speaking of "Charlie Crocker, roaring like a wild bull up and down the track."

24. Jim Slingerland (See Notes 101, 1856, and 72, 1860), married Mary Cowell (See Note 71, 1860).

25. Senator Merritt, a Virginian, wanted California to remain neutral in the great controversy. Senator Hill, speaking for the Union Resolutions, followed Merritt and remarked that he sympathized with "every Southern gentleman here and elsewhere in California," but that he stood for the Union and was opposed to a Pacific Republic. This latter proposition he believed to be ridiculous "whilst we are yet in our infancy, just recovering from the influences of wild and reckless speculations, and, may I add, equally reckless legislation, with State and county debts of many millions hanging over us, and with taxes already oppressive; with an extended border of hostile Indians on our east, and an equally extended seacoast to protect from foreign enemies; without arms or munitions of war; with a population, almost equal to

our own, of foreign adventurers in our midst, who have come here without any intention of ever becoming citizens, and many of whom are unfriendly to our republican form of government. I, sir, for one, want no grizzly bear and prickly cactus flag to float over me." (The Bear Flag had been raised in a number of localities by the adherents of the Pacific Republic plan.)

26. Burbank spoke for some two hours and a half on harmony, caution, and a calm attitude. If this could be the rule he believed the Union might be preserved.

27. Senator Harry I. Thornton of Sierra County resigned on June 19, 1861. He died at Fresno, February 25, 1895 (*California Blue Book*, 1907, p. 562). His speech was directed against Douglas for the defection which had led to Lincoln's victory. He opposed the use of force to maintain the Union, and cited Jefferson as an authority for nullification. The next day (Feb. 8, 1861), the *Union* stated that Thornton's speech "was the best that has been made on the secession side of the issue, and occupied three hours in its delivery. The lobbies were crowded, and the usual respectable attendance of ladies [was] present."

28. Watson again urged his resolutions for a neutral position, while Irwin was for the Union and the power of the Federal Government to collect its revenues in South Carolina, though the latter had seceded.

29. *La Tour de Nesle*, or *The Chamber of Death*, was an historical drama in three acts taken from the French of Victor Hugo. It was performed at the Bowery Theater in New York in 1853.

Marshall's Melodeon (3d St., bet. I and J, Sacramento) had a "grand reopening" on January 19, 1861, and it is probably to this place of amusement that De Long refers. Admission was 25¢, and for seats in boxes, 50¢. (*Union*, Jan. 19, 1861.)

Sam Wells' Melodeon was the former Forrest Theater, which had proven a losing venture and which was reopened in 1860 as a melodeon, admission 25¢. (T. & W., *Sacramento County*, p. 121.)

30. James M. Vance, from Tennessee, represented Butte and Plumas counties, in 1860 as a Democrat and in 1861 as a Breckenridge Democrat. He opposed the use of the term "traitor" in respect to the southern leaders, and he opposed the use of force against the South: "The sword never convinced—it might subject. . . . The Union cannot be saved by singing hallelujahs, or speaking in her honor." As to the states which had seceded, "if they are out of the Union, save the ashes; treat with them, nurse them. I cannot for one moment sanction the policy of going to war with them." (*Union*, Feb. 13, 1861.)

31. There were several plays based on the story of Griselda, which was originally told by Boccaccio and was later used by Chaucer. The poem "Gualtherus and Griselda" was printed in London in 1603, though the play had been acted three years earlier. The version used by Julia Dean Hayne was probably that of Arnold (published 1856). In it she took the part of Griselda, while J. H. Warwick acted that of Percival of Wales. The program concluded with "the side-splitting farce" of "The Persecuted Dutchman." (*Union*, Feb. 12, 1861; *The Stage Cyclopaedia of Plays*.)

32. Of this address the *Union* (Feb. 14, 1861) said: "Mr. De Long made a well considered and forcible speech on the Union Resolutions." He declared that, although he had been first to present Resolutions in support of the Union, he had remained silent during the debate, in deference to older Senators. California, though small in population, was important because of geographical location and the character of her population, and her voice on this subject would be given weight because of her calm and dispassionate action. Secession advocates had had their say upon the Senate floor and had sought to justify the South, but this was a government of the people, not one of States. As to a Pacific Republic, California could hardly stand alone, with a population of less than 300,000, with Mexico on one side, Mormons "and their savage allies" on another, the English possessions to the north, and a large and exposed coast line. For his part he had no wish to march under the Cactus and Bear flag. "If it was the emblem of this State it would soon overspread our fields, and the bear become the inhabitant of the mountains. He wished now and ever to march under the Stars and Stripes of the Union, and such, he was convinced, was the deep-seated feeling and wish of the people of the State of California. [Applause.]"

33. Henry A. Edgerton (from Vermont; Anti-Lecompton Senator from Napa, Solano and Yolo counties, 1860; Douglas Democratic, same counties, 1861; Independent from Sacramento County, 1870-72; member Second Constitutional Convention, 1878-79; died at San Francisco, Nov. 4, 1887) spoke in hearty support of the Union, and in support of the use of force—if necessary—for its preservation. He held that peaceful secession and separation was impossible, and he urged devotion to the Union above state pride. The next day (Feb. 15, 1861) the *Union* declared that "Mr. Edgerton's reply to Mr. Thornton, in the Senate, yesterday, on the Union Resolutions, is considered the most masterly argument thus far delivered in either House, on the absorbing issue before the country."

34. The school for the deaf, dumb, and blind in San Francisco was organized in 1860 under partial state auspices. It was located at Mission and Spark Streets, and was largely

supported by voluntary contributions raised by a board of "Lady Managers," of whom Mrs. P. B. Clark was President, Mrs. J. P. Whitney, Vice-President, Mrs. B. H. Randolph, Treasurer, and Mrs. C. W. Jones, Secretary. (San Francisco Directory, 1861, App. p. 475.)

35. On February 16, the *Union* reported that "The Douglas caucus last evening enforced an exhibition of the strength of the various party candidates for United States Senator, after vainly endeavoring for some time to parry and baffle all motions tending to that result." On two ballots the results were: Denver, 17; Nugent, 10; Randolph, 12; McDougal, 15, with 28 necessary for a choice.

36. This amendment related to the striking from Senator Merritt's suggested Resolution of all reference to condemnation of the use of military force against the South. The vote was 15 to 15.

37. *Love*, a play in five acts, was by James Sheridan Knowles. (Lacy's *Acting Plays*, Vol. 74.)

38. Lenora Affleche (see entry for April 20) was a sister of the wife of one Kibbe, probably not the General William C. Kibbe heretofore mentioned in the diary, who was married on April 23, 1861, in New York State (see Note 76, 1858).

39. Edmund Randolph (see Notes 129, 1859, and 8, 1861) was ailing at this time and died not long after.

40. Some six hundred persons attended the sixth Annual Ball of Confidence Engine Co. No. 1. Dancing followed the performance of "The Fireman's March" for the first time in Sacramento by the Citizens' Band, and at midnight "a splendid supper" was served. The *Union* (Feb. 23, 1861) stated that it was "the largest Fireman's Ball ever given in this city."

41. This resolution (by Senator Merritt) endorsed the plan of United States Senator John J. Crittenden for a settlement of "the existing differences in the Atlantic States" and condemned the use of military force to coerce the South "under existing circumstances." The vote was 20 to 6, De Long voting with the majority. Only the Republicans voted against it.

42. "Old Folks Concert"—The first entertainment of this character ever given in this city, and probably the most successful one ever held in this State, came off, last evening at the Pavilion, the occasion being the benefit of that notable charity, the Howard Benevolent Society." (*Union*, Feb. 27, 1861.) Some 1500 persons attended, a chorus of 60 singers in costume entertained, and citizens dressed as "old folks" crowded the floor.

43. The American Exchange Hotel, Simon H. Seymour, proprietor, was on Sansome Street, opposite the American Theater, and was ordinarily spoken of merely as "The Exchange." (See San Francisco Directory, 1861, pp. xxx and 53.)

44. The famous Bella Union Melodeon of San Francisco was on the north side of Washington Street, near Kearny. It was for many years the leading institution of its kind in the city. (See Madison, James, "Some Shadows of the San Francisco Stage," *Quarterly of the California Historical Society*, Vol. IV, No. 1, March 1925, p. 59; picture and description in *Sunset Magazine*, September 1928, p. 45; Lloyd, B. E., *Lights and Shades of San Francisco*, p. 157; Rourke, Constance, *Troupers of the Gold Coast*.)

45. See Note 76, 1856.

46. Dr. Jacob Bigelow Warfield (see Notes 125, 1857, and 241a, 1858) was Assemblyman from Nevada County, 1858, and Sonoma County, 1868. He came from Ohio, and resided at North San Juan, San Francisco and Sonoma, dying at San Francisco, February 19, 1878 (*California Blue Book*, 1907). He was a groomsman at De Long's wedding, the two having met nearly a decade before in North San Juan. The *Alta* (Feb. 21, 1878) declared that "he possessed rare and excellent qualities of head and heart, and will long be remembered as one of our most excellent citizens." For some years before his death he engaged in viticulture at Sonoma. In 1864 he married Kate F. Overton, daughter of Dr. T. C. Overton of Nevada County and Napa. (See Sonoma Democrat, Feb. 23, 1878, and sketch in Menefee, C. A., *Historical and Descriptive Sketch Book of Napa, Sonoma, Lake and Mendocino Counties*, 1873, p. 346.)

47. See Notes 83, 1860, and 91, 1861.

48. Grace Church, Episcopal, was on Powell Street, between Jackson and Pacific, San Francisco. The building was erected in 1851 by a congregation organized in 1849, and in 1861 it was reported that the number of communicants was 200, with the same number of members of the Sunday School. The first rector was J. L. Ver Mehr, who resigned upon the arrival of Bishop Kip in 1854. F. C. Ewer was ordained on April 5, 1857 and preached his first sermon the next Sunday (he had been editor of the *Pioneer Magazine*, 1854-55), taking charge of the parish on April 20, and becoming rector on Dec. 15, 1857. He held that position until April 1861, during which year a new church edifice was erected on the southeast corner of Stockton and California streets. (Langley's San Francisco Directory, 1861, p. 467.) The corner stone of the New Grace Cathedral at that site was laid in May, 1860, by Bishop Kip, and the building was opened for worship on Sept. 28, 1862.

49. A grant known as Camaritas, 300 varas square, in the depression southeast of Mission Dolores, was early known as "The Willows" (Hittell, *History of California*, Vol. 3, p. 381.)

The public garden of that name was located between 18th, 19th, Valencia and Mission Streets, and in 1860 the Market Street Railway reached this site. The land was then some twenty feet below its present level, and the native willow trees gave an abundance of shade. A small menagerie was kept by the proprietors, and the place was largely patronized by the French colony, the "air" of the place contrasting with that of the "Russ Gardens" where the Teutonic atmosphere was uppermost. Lotta Crabtree and others sang and danced at "The Willows," and balloon ascensions, tight-rope performances and the like enlivened the "sylvan retreat." (Hittell, p. 444; Eldridge, *The Beginnings of San Francisco*, Vol. I, pp. 328-29; Young, *History of San Francisco*, p. 262; Rourke, *Troupers of the Gold Coast*, p. 162.)

50. See Note 105, 1859.

51. The San Francisco Woolen Manufacturers, 311-13 California Street, was under the management of Heynemann, Peck & Co. There was also a San Francisco and Mission Woolen Factory at 511 Sacramento Street, under Donald McLennan. (See entry for Jan. 18, 1862, and San Francisco Directory, 1861.)

52. The Roman Catholic Orphan Asylum, on Market between 2d and 3d streets, was at this period under the care of the Sisters of Charity, the board president being Peter Donohue. In 1861 there were 275 girls in the institution. (San Francisco Directory, 1861, App. p. 474; San Francisco *Almanac*, 1859, p. 79.)

Re the Deaf and Dumb Asylum, see Note 34.

53. In 1861, Charles W. and George W. Armes and Richard B. Dallam maintained a factory for making "California Brooms" at 221 Sacramento Street, and were also dealers in "woodenware." (San Francisco Directory, 1861, advertisement p. 526.)

54. The Protestant Orphan Asylum was organized in 1851 under the leadership of Mrs. Albert Williamson, and for a time occupied a building owned by H. W. Halleck on the corner of Folsom and Second streets. In 1854 a commodious brick structure was erected, and in 1861 there were forty-four boys and twenty-six girls under its care, under the presidency of Mrs. Ira P. Rankin. (San Francisco Directory, 1861, App. pp. 474-75; San Francisco *Almanac*, 1859, p. 80.)

55. The San Francisco of 1861 was one of the most colorful of American cities. Its theaters, melodeons, cafes and places of amusement — such as Russ Gardens and The Willows — gave it a distinctly "continental" atmosphere. It was the leading city on the Pacific Coast, Los Angeles being at that time a mere hamlet far to the south. Although the great hum and bustle of the early mining days was gone, the growth of the state along the lines of agriculture, and its development as the market-basket of the mining regions farther to the east, kept San Francisco busy and booming. Shortly after this period the great Comstock Lode discoveries and the completion of the Pacific Railroad brought vast new wealth to the city, which has never lost that certain "air" which so captivated the youthful De Long.

56. The funeral of Green Wildes, a member of the Sutter Rifles of Sacramento, was made a momentous occasion by that body. "A band of martial music" was specially hired for the occasion, and the company attended in a body. Wildes (aged 35) had been an auctioneer and had also been Constable of Justice Armstrong's court. He came to Sacramento from Massachusetts in 1850. The funeral was held in the Pavilion, and a large procession followed the coffin to the City Cemetery. (*Union*, March 7, 8 and 9, 1861; Sacramento Directory, 1856, 1857 and 1858.)

57. Mary and Fanny Howe were teachers, and resided at the corner of G and 11th streets, Sacramento. (Sacramento Directory, 1861.) The year before, Miss Fanny Howe was listed as "assistant teacher Intermediate School." One J. M. Howe, also a teacher, was listed as residing at the same address.

58. This Bill (S.B. 173) had as its purpose the appropriation of \$6000 for the operation of "the Home for the care of the Inebriates of San Francisco."

58a. The newspaper account of this incident seems worth preserving:

Mr. De Long, when his name was called, said there was a distinguished man who was absent from the State, and to whom the old rule of "absent, forgotten" seemed to be applicable. He had the distinguished honor of knowing him personally during the last canvass, and in order to show that he was not ungrateful he would cast one vote for William M. Gwin. [Laughter.]

Mr. Vance — I shall follow in the wake of my distinguished friend from Yuba, and vote for William M. Gwin. [Laughter.]

Mr. De Long — Who's that? [Great laughter.]

The votes of Senators having been read by the Secretary,

Mr. De Long said — With all due respect for my worthy follower, I am afraid our regiment is too much like Sir John Falstaff's, and I wish to change my vote for Gwin. I had forgotten some things he said in the last canvass, and now I shall vote for John Nugent. [Applause and laughter.]

Mr. Vance — I shall change my vote too; I vote for Nugent. [Great laughter.]

58b. The Sacramento Directory for 1861 (p. 31) lists Ervin R. Perrin of the "Perrin

House," corner L and 4th streets, as "late Mrs. Nevett's," Mrs. S F. Nevett having been listed in prior directories as "proprietress of a private boarding house" at that address.

59. The Miss Downey here mentioned was Annie, sister of Governor John G. Downey. On August 6, 1862, she was married by Bishop Amat at Los Angeles, to Peter Donohue, of San Francisco. She was a native of County Roscommon, Ireland, and came to California via the Isthmus in 1857. She died at San Francisco, December 12, 1896. (Donohue's first wife, Mary Jane Maguire, who died in 1861, left two children, J. Mervyn and Mamie [Baroness Von Schroeder]). Governor Downey's other sister, Eleanor, came to California with Annie, and married Walter H. Harvey, who died in 1861 (leaving a son, J. Downey Harvey, still living in San Francisco). She later married Edward J. Martin, who died in 1880 (leaving three children, Walter S., Peter and Andrew). Eleanor Downey Martin lived to the ripe old age of over 101 years, and passed away on July 6, 1928, after having for many years been one of the social arbiters of San Francisco. She was a patron member of the California Historical Society.

60. See Note 60, 1858.

61. "Smith's Pomological and Floral Gardens" were located on fifty acres of land on the south bank of the American River, three miles above Sacramento, purchased from John A. Sutter in December, 1849, by A. P. Smith. They were a favorite place of resort during the early fifties, and in 1857 it was reported that Smith had the most extensive collection of fruit trees, vines and other plants in the state, including 3,000 peach trees of 75 varieties, 20 varieties of strawberries, and 10,500 grape vines of 60 varieties, together with 700 different species of flowers and plants. In 1856 he sold products of the gardens for \$32,175. (Sacramento Directory, 1857, p. xiii.) He installed a Worthington steam pump for irrigation purposes, and all went well until the great flood of 1861-62 which swept away the residence and much of the gardens and left sediment several feet deep over the remainder of the property, with a loss of \$100,000. The property was not included in the new levee system of 1862, and subsequent floods soon completed the wreck of this once-famous nursery and resort. (T. & W., *Sacramento County*, p. 237.)

62. The Rev. J. A. Benton (see Note 81, 1858) commenced his pastoral labors in Sacramento in July, 1849, and on September 16 the Congregational Church was organized. A month later a building site was purchased. In 1854 the church building burned, but from its ashes a new and finer edifice soon arose on E Street, between I and J. (Colville's *Sacramento Directory*, 1856, p. 32.)

Thomas Starr King's lecture on "The Life and Character of Washington" was one of the most eloquent orations of that brilliant speaker. It was delivered in all parts of the state, and, together with his lecture on "The Union" (see Note 107, 1861), had much to do with knitting together the sentiment against secession during the crucial, early months of 1861. Tickets "admitting gentleman and lady" were \$1.00 each, and the proceeds went to the Howard Benevolent Society (*Union*, March 20 and 22, 1861). Of the lecture, the *Union* on March 23 declared: "It was a most eloquent, noble and patriotic effort, and has probably not been equalled on this coast in point of grasp of subject, impressive portrayal of facts and incidents of history, in exhibition of the folly and madness of secession, and in devotion to liberty and the Union." Among other things Starr King is reported to have said that had Washington been living (in March, 1861) "he would have acted and put down secession four months ago, after having first purged his Cabinet of traitors and thieves."

63. This Commission was for the purpose of surveying the eastern boundary of the state. Ferris Foreman, the successful candidate, had been Secretary of State under Weller. McKibben's defeat was the cause of much bitterness in the Joint Convention.

64. Said the *Union* (April 3, 1861): "The election for Senator is over, and we congratulate the people of the State upon the result. Whatever may have been the objection to McDougall on personal and party grounds, it must be conceded that he is right on the main question — that he has taken firm and bold ground against secession and disunion, and in favor of the Constitution, the Union and the laws."

65. These were bills referring to a proposed street railroad in Sacramento (S. B. 110) and to a railroad in San Francisco (A. B. 56).

66. Dr. W. P. Tilden was Douglas Democratic Assemblyman from Butte County, 1861, and (Union) 1865-66. (*California Blue Book*, 1907.) He was Resident Physician of the Insane Asylum, 1861-65 (see *Alta*, Jan. 7, 1865).

Dr. Asa Clark came to Placerville in 1849, where he practised medicine for a number of years (except one year [1850] in Santa Clara and another [1851] in Santa Barbara). In 1874 he formed a private sanitarium and took charge, under contract, of insane from Nevada and Arizona, until they installed their own asylums. Clark married Mary Elizabeth Mountjoy, at Placerville, in 1856, and is said still (1931) to be living in Stockton. (*San Joaquin County History*, 1909, Vol. II, pp. 27-28.)

67. Concord Lodge No. 117, F. & A. M., at Sacramento, received no dispensation. It petitioned for a charter on May 14, 1857, and the next morning the charter was granted. It flourished for a considerable period.

68. This flood destroyed many bridges in the territory surrounding Sacramento, and flooded the low ground about the city. (*Union*, April 5, 1861.) The high waters of the spring of 1861 were but a hint of the floods which were to submerge large portions of the state during the next winter. (See the *Journal* for December 1861 and January 1862.)

69. The steamer *Chrysopolis* of the California Steam Navigation Company (see Note 32, 1856) was built at San Francisco and launched early in the summer of 1861. She was of 1000 tons burthen, carried 1,000 passengers, cost \$200,000, and at the time was the largest and finest boat yet constructed in California. She arrived at Sacramento on her maiden trip on August 2, 1860, under the experienced Captain Chadwick. Three paintings by Butman, showing scenes along her route, adorned the cabin, and in the "Social Hall" was a painting of the Sierra Nevada by the same artist. (T. & W., *Sacramento County*, p. 64; *Alta*, Aug. 3, 1860.)

70. The Rev. W. A. Scott's Calvary Presbyterian Church was on Bush Street between Montgomery and Sansome. It was organized in January, 1854, with seventy members and its building was dedicated one year later, the cost having been \$75,000. The audience room and galleries seated 1000 persons, and in the basement were the Lecture Room, Sunday School Room, Library and Pastor's Study. A large pipe organ (2000 pipes, 46 stops, cost \$8,000) by Erben of New York was installed a few years later, and was for a time the finest instrument on the coast. The organist was George F. Pettinos. (Langley's San Francisco Directory, 1861, p. 469; Herrick & Hoggs' San Francisco *Almanac*, 1859, p. 67.)

71. The lofty hill known as Lone Mountain was selected in 1854 as the site for the celebrated cemetery of that name. Grassy lanes and paths threaded through the natural growth of low trees. In 1867 the name was changed to Laurel Hill Cemetery. Senator Broderick and Colonel E. D. Baker were both interred here. (Langley's San Francisco Directory, 1861-62, p. 33, and 1866, p. 38; *Alta*, April 12, 1867.) The spot is still beautiful, though large portions of the cemetery are not kept up.

72. Broderick's monument on "Mount Vernon," a commanding height in Lone Mountain Cemetery, is still a moving sight. A tall granite shaft surrounded by an iron railing was there erected by a committee under the direction of William McKibben, and remains as one of the few reminders of "the iron man" of the fifties.

73. The Mission of San Francisco de Asis (commonly called "Dolores") was founded on October 9, 1776, by Father Palou. (See extensive note in Bancroft, *History of California*, Vol. 1, pp. 292-94.)

74. "Dr. Bassett's Circus" was an "equestrian troupe," known usually as the "United States Circus," managed by Charles H. Bassett. It performed under canvas next to the International Hotel (San Francisco *Herald*, March 30, 1861) and on April 9, 1861, arrived in Sacramento, where it performed at Sixth and L streets (*Union*, April 10, 1861).

75. The *Goodman Castle* was "a neat little steamer" built and owned by Captain Trueworthy of Sacramento. It was launched in January, 1858, and was designed to run as an "independent boat" between Sacramento and Marysville. It was 125 feet long, with 30 feet beam, and drew but seven inches of water. (*Union*, Jan. 7, 1858.)

76. The Sacramento Valley Railroad, first railroad in California, connected Folsom with Sacramento. It was constructed in 1854 by the great railroad engineer, Theodore D. Judah, and its right of way is now that of the valley portion of the Placerville Branch of the Southern Pacific Railroad. (See Wheat, Carl I., "Theodore D. Judah," in *Quarterly of the California Historical Society*, Vol. IV, No. 3, 1925, pp. 219-71, and Daggett, *History of the Southern Pacific*.)

77. Negro Bar on the American River was the precursor of the town of Folsom. It was settled in 1849, and in 1850 the Virginia Mining Company was formed to drain the river bed at this point. Theodore D. Judah, Richmond Chenery and Samuel C. Bruce laid out the town of Folsom for Captain Joseph L. Folsom in 1855, and lots were sold in Sacramento at auction on January 17, 1856, by Colonel J. B. Starr. On February 22 the Sacramento Valley Railroad was completed and opened to this point, with free excursion trains and a grand jubilee. (*Sacramento County History*, 1890, pp. 227-28.)

78. The wooden bridge which had been erected across the American River at Folsom in 1854 was washed away some years later, and in 1861 Thompson and Kinsey secured a charter for a wire suspension-bridge. This is the one referred to by De Long. It was washed away on January 10, 1862, during the great flood of that year. (*History of Sacramento County*, 1890, p. 231.)

79. On the 24th the *Union* declared: "The startling news [of Fort Sumter's fall] in another column, received by Pony Express yesterday, at Fort Churchill, although of a character not unexpected, created excited but varying emotions in the community last evening . . . The Secessionists in the streets appeared to be lively, and one, a member of the Legislature, was heard to declare that he was rejoiced at the news, 'that he had not felt right before this Winter.'"

80 The celebration of the dedication of the New Odd Fellows Hall (see entry for July

27, 1860, re the laying of the cornerstone) was a "grand and glorious affair," from the moment early in the morning when the "soul-stirring notes of the various bands" brought out the crowds, to the close of the ball late that night. Noah Brooks, then of Marysville, and later a well-known author and publisher, read the "poem" of the day lauding the glories of California, and remarking that, "where today our temple stands, the Hall of Friendship, where she reigns, the golden wild oat clad the lands, Nor white man marked the wide domain," and much more, to the extent of no less than thirty-two ringing stanzas. The editor of the *National Democrat* (then George C. Gorham) remarked the next day that he couldn't hear much of the poem, because of a squalling baby near by, but had "no doubt it was very good, for it was short."

81. On April 28, the editor of the *National Democrat* remarked:

"The California Express elegantly observes that the resolutions of the Marysville Rifles, requiring all the members to take the army oath of allegiance to the United States Government 'Look very much like the object was to swear allegiance to the Republican party.' Good God! has it come to this? Can it be that the Express means to be understood that none but the Republican party ought to renew their vows of allegiance to the National Government? Why, every petty civil officer and subordinate in our State is obliged to swear that he will support the Constitution of the United States before he can enter upon his duties . . . May the members of the Rifles observe their oaths, by steering clear of the pernicious and treasonable spirit which seems to govern the Breckenridge State Address."

The next day it was reported that two members of the company had resigned, but that J. A. McQuaid had refused either to take the oath or resign, and that he had not as yet been expelled.

82. The famous "Pony Express" was in its hey-day at this time. For good accounts of its activities, see Visscher, William L., *The Pony Express*, 1908, and Majors, Alexander, *Seventy Years on the Frontier*.)

83. The steamer *Young America* was launched on January 28, 1856, in Sacramento, and after she had taken the water (broadside) a bountiful champagne festival was had on board. She made her first trip to Marysville, Feb. 14, 1856. (*Union*, Jan. 29, 1856; T. & W., *Sacramento County*, p. 63.)

84. De Long's law library appears to have been growing apace, and the fact that he was able to invest \$100.00 in digests at this time discloses that his practice was advancing.

85. This was A. B. 54, "An Act to provide for the reclamation of swamp lands." It provided for five Commissioners, an engineer and an assistant engineer, and appropriated money from the Swamp Land Fund for the reclaiming of swamp and overflowed lands.

86. Respecting the Baltimore riot the *Union*, on May 2, 1861, said: "The news from the East received by Pony yesterday cast a gloom over the patriotic portion of our community, and produced a marked and we trust wholesome effect on persons whose minds have not yet been made up as to the duty they owe the Government as American citizens." A Massachusetts regiment was fired on by a mob of southern sympathizers.

87. Gilbert's Melodeon, on the corner of Clay and Kearny streets, was for many years one of San Francisco's leading places of amusement. Many later famous actors and actresses acted or sang at Gilbert's. (See Picture in Nahl's *Souvenir of Early Days in California*, p. 12, and see Rourke, *Troupers of the Gold Coast*.) In the Marysville *National Democrat* for Jan. 4, 1860, appeared an advertisement stating that F. Gilbert, formerly of Marysville and Oroville, had established himself in San Francisco, where he had "opened an elegant place of entertainment . . . called THE MELODEON," which was declared to be "entirely new in every respect, and where pleasure seekers can enjoy a variety of chaste and pleasing amusements." He also operated a "Billiard Saloon" at 125 Sacramento Street, "furnished with nine of Phelan's best Tables," and he added that he "would be pleased to have his friends, when in San Francisco, call on him and enjoy themselves."

88. The United States Branch Mint was at this time situated on the north side of Commercial Street, near Montgomery. Robert J. Stevens was Superintendent and Conrad Wiegand, Assayer. (San Francisco Directory, 1861, pp. 464-65.)

89. The most brilliant era of the "Clipper Ships" was from 1840 to 1855. These ships were built expressly for speed, at whatever loss of carrying capacity, and the discovery of gold in California had much to do with their remarkable development. Among the most important were the *Challenge* (2000 tons), the *Invincible* (2150 tons), the *Comet* (1209 tons, made the round trip from New York to San Francisco and return in seven months and nine days, the return in seventy-six days, fastest time on record), the *Swordfish* (1150 tons; Shanghai to San Francisco in thirty-one days), the *Surprise* (284 miles in eight days), the *Samuel Russell* (318 miles in a single day), the *Flying Cloud* (1782 tons; New York to San Francisco in eighty-four days in 1851, the fastest time in that direction; 433¼ statute miles in one day, the record for a sailing ship), and the *Sovereign of the Seas*. (See *Our Sea Saga, the Wood Wind Ships*, by Edmund O. Sawyer, Jr., San Francisco, 1929.)

90. Certain members of the Democratic State Central Committee attempted a reconciliation between the Douglas and Breckenridge factions, but a communication from the latter urging harmony was tabled. The Douglas members were unequivocally for the Union. Lindley, the Breckenridge chairman, adjourned his committee the next day, and the effort at harmony ended in complete failure. (*Union*, May 8 and 9, 1861.)

91. "Colonel" Joseph P. Hoge was born in Ohio in 1811, and graduated from Jefferson College, Pennsylvania, practising law in Ohio and Illinois. From the latter state he went to Congress, 1843-47. At Galena he formed a partnership with Samuel M. Wilson, and the two practised there until 1853, when they came to California, and continued their partnership in San Francisco until 1864. In California, Colonel Hoge's life was active, both politically and professionally. He had married a sister of his partner Wilson, and in 1861 the Hoges lived at 275 Stockton Street. During his entire career he was one of the leaders of the bar, and in 1869 was Casserly's chief opponent for the United States Senatorship. In 1860 he was Chairman of the Democratic State Central Committee, and it was as such that De Long appears first to have met him. Later, he was President of the Constitutional Convention of 1878, and in 1884 was elected Judge of the Superior Court of San Francisco City and County. He died in office on August 14, 1891, aged 80 years. For thirty-four years he occupied the same law office in the Montgomery Block. His children were Charles Joseph, Blanche, Octavia, George, Belle J. (Mrs. Anthony C. Hellman), Frances (Mrs. Tyler) and Pauline (Mrs. Delphin M. Delmas [see Note 83, 1860]). (See Shuck, *Bench and Bar*, 1901, pp. 565-66; *San Francisco Call*, August 15 and 18, 1891. Information also received from Miss Antoinette Hoge Delmas, daughter of Pauline Hoge Delmas.) De Long was a frequent visitor at the Hoge home, and Colonel Hoge's charming daughters were among his best friends, and were bridesmaids at his wedding. No information has been obtained about Mary Hoge.

92. On May 10, 1861, Duncan & Co. advertised in both the *Alta* and the *Herald* that \$20,000 worth of diamonds would be sold that day at their auction house on the northeast corner of Montgomery and Sacramento streets. Joseph C. Duncan was born in Philadelphia, and came to San Francisco in 1850 from New Orleans, where he had edited the *New Orleans Crescent*. Upon arrival in California he first engaged in printing, but his plant was destroyed by the fire of May, 1851, and he then turned to the auctioneering business. From 1856 to 1861 he edited the *Daily Globe* and the *California Home Journal*, and was later a large speculator in real estate. In 1874 he organized the Safe Deposit Company of San Francisco, with headquarters and vaults on the southeast corner of California and Montgomery streets. He was also manager of the Pioneer Bank. (*Representative Men of San Francisco*, 1875, pp. 815-19.)

93. The Union demonstration in San Francisco was, according to the *Union* (May 13, 1861), "a grand and imposing affair. It was literally a mass meeting of the population in honor of the Stars and Stripes." Senators Latham and McDougall pledged their allegiance to the Union. General Sumner, commanding the Pacific Division of the Army, declared that in Lincoln the southern states had "caught a devil of a Tartar." Governor Downey wrote declining an invitation to speak, adding that he was opposed to "a coercion policy" against the South. Other speakers were Voorhies, Brosnan, Alexander Campbell, Pixley, and Captain Lippitt. (See full account in *San Francisco Bulletin*, May 11, 1861; and *Union*, May 13, 1861.)

94. Re the camels which were brought to California at this period, see the *Quarterly* of the California Historical Society, Vol. IX, No. 4, December, 1930, pp. 299-344, or the pamphlet entitled *Camels in Western America* reprinted from this magazine.

95. The First Unitarian Church was on the west side of Stockton Street, between Clay and Sacramento. It was organized in September, 1850, and the church building was erected in 1852. Rev. Joseph Harrington, the first regular pastor, died of Panama fever soon after his arrival in that year, and the second pastor, Rev. F. T. Gray, came in 1853, but left in 1854. He was followed by Rev. R. P. Cutler, who remained from 1854 to 1859, being succeeded by Rev. John A. Buckingham, temporary pastor. (Langey's *San Francisco Directory*, 1861, p. 471.) Thomas Starr King was called to the pastorate in 1860. He was born in New York in 1824, and first became a teacher but was ordained in 1846 as pastor of the First Universalist Church of Charlestown, Massachusetts. In 1848 he took charge of the Hollis Street Unitarian Church of Boston, and his fame as an orator soon spread throughout New England. On April 29, 1860, he took his place in the San Francisco pulpit and from then on the church was crowded each week. His oratory gave him a commanding place in California and his ringing voice was everywhere heard in support of the Union. He organized the Sanitary Commission (Red Cross of the Civil War) in California, but died in San Francisco in 1864. His statue, with that of Fray Junipero Serra, stands in Statuary Hall in the Capitol at Washington, as one of California's two representatives in that Hall of Fame.

96. The Grand Lodge being about to convene at Sacramento, the Board of Capitol Commissioners assigned to the Masons of the state the honor of laying the corner-stone of the State Capitol. The city was decked in flags, and the Civil War now commencing in the East was for a day forgotten. The procession included the Knights Templar, the Sacramento Hussars, City Guard, Sacramento Pioneers, Governor Downey, Senator Latham, Chief Justice Field and

the other Justices of the State Supreme Court, and many other officials and organizations, with the "Union Guard" bringing up the rear. Isaac Davis, of Yolo, the Grand Marshal, opened the ceremonies, and W. H. Hill, Grand Chaplain, offered prayer. Governor Downey then requested N. Green Curtis, Worshipful Grand Master to perform his office, and after a short address, the Grand Officers proceeded to deposit the casket and lay the stone, after which Samuel M. Wilson, of San Francisco, delivered the "oration" of the day. A full account of the proceedings is to be found in the *Union* for May 16, 1861.

97. Judge Murray Morrison, brother-in-law of Colonel E. J. C. Kewen (see Note 73, 1860) came to California from Illinois in 1849, and married a daughter of Dr. T. J. White, of Sacramento. He was the first speaker of the Assembly of California. As judge of the 17th Judicial District, he distinguished himself as a jurist, and died in Los Angeles on December 18, 1871. (*California Blue Book*, 1907; *Sacramento Directory*, 1858.)

98. The "Promenade Concert" was held for the purpose of raising funds for plastering the ceiling of Agricultural Hall. (*Union*, May 17, 1861.)

99. C. H. Kungle (Breckenridge Democrat from Yuba County) introduced on May 18 the following Resolution, which was laid on the table, 45 to 11:

"WHEREAS, A number of the states have withdrawn from the federal union, and after asserting their independence have established a new government, which is known as the Confederate States of America, and it being evident to the world that the people of those states are able to maintain their independence and determined to do so; and whereas, to refuse to recognize their independence and to attempt, by making war upon them, to conquer and reduce them into subjection to the other states would be wrong, and violative of the spirit of our institutions and destructive of our liberties, since the attempt would require the raising of vast armies, the increase of taxation, and the creation of enormous debts to burthen the people, and since no object can be attained by making war upon those states, for if conquered they would be ruined and desolated, and inhabited by a dissatisfied population, ever seeking an opportunity to throw off the yoke, and as we are not yet ready to give up our free system of government, based upon the assent of the governed, and establish in its place those arbitrary military forms necessary for the prosecution of aggression and conquest; therefore resolved:

"That the independence of the Confederate States of America ought to be at once recognized by the United States government, and that all questions between the two governments should be settled by negotiation and treaty."

100. The Spring Races at the Centerville Race Course were not overburdened with blooded stock, but the lack of pedigree was made up in enthusiasm. The *Union* reported (May 23, 1861) that, while the crowd was small, it included "many of our most prominent turfmén."

101. On May 26, the editor of the *National Democrat* said: "An immense concourse of people assembled at the Pavilion last evening to hear our eloquent and loyal Senator, Hon. M. S. Latham, speak upon the crisis. He spoke an hour and a quarter, and was interrupted very frequently with tremendous outbursts of applause. We have never heard him speak with more earnestness or eloquence. He is thoroughly, unreservedly and enthusiastically a Union man. Let the young men who agreed with him in November, follow his noble example."

102. Not to be confused with Colonel Edward D. Baker (see Notes 127 and 182, 1859). This was probably the Colonel Baker of the Buckeye Ranch (see Note 156, 1859).

103. De Long's congressional hopes were shortlived. On July 9, 1861, Joseph C. McKibben and Henry Edgerton were nominated, De Long having withdrawn when he saw the way the political wind was blowing.

104. See entry for June 9, 1861.

105. Of this meeting the *National Democrat* on June 5, 1860, declared that General Shields "was repeatedly applauded, and when he concluded three cheers were given him. He arose again and made a patriotic response. Three cheers were then given for General Scott. Senator De Long was then called for, and took the stand. He paid a fine tribute to General Shields, but took issue with the belief expressed by that gentleman, that there were but few Secessionists in California. He spoke at some length denouncing the secession doctrine, and declaring his loyalty to the Government."

106. The *National Democrat* reported that some three hundred persons were present at this Colusa flag raising, that De Long "made a strong Union speech," and that "great enthusiasm prevailed" (June 8, 1860).

107. Of this lecture the *National Democrat* said (June 8, 1860): "A large audience listened with eager attention for about two hours last night to the fiery and patriotic eloquence of Rev. T. Starr King upon 'The War and the Union'. . . It was the grandest effort the distinguished gentleman has favored us with in this city."

108. George C. Gorham succeeded John R. Ridge as editor of the *Daily National Democrat* in Marysville on April 23, 1861. On October 29, 1861, this newspaper was merged with the *Daily Appeal*, which was published as a Republican organ. (T. & W., *Yuba County*, p. 75.)

109. De Long's generous character is illustrated by many acts of kindness such as the one here recorded, when he paid the debt of his erstwhile bitter political opponent in order to save the family from ejection.

110. The steamer *Defiance* was refused a license for carrying passengers over the Bay of San Francisco, but made her first trip to Sacramento on July 29, 1860, with seventy-five passengers. Going down she transferred her passengers at the mouth of the river to a barge, which was then towed to San Francisco. She was the first steamer on the bay to be provided with a calliope for the amusement, comfort and quiet enjoyment of her passengers. (See T. & W., *Sacramento County*, p. 64.)

111. On Sunday, June 16, 1861, the *National Democrat* appeared with wide black rules between all its columns, saying:

"A great calamity has befallen the nation. A man mighty among the mightiest has fallen. The great Defender of popular rights—the unconquered rebel against all that savored of aristocratic tyranny—the great chosen party leader of a million and a quarter of his countrymen—the intellectual giant of the American Senate—the Statesman, Chieftain and Patriot, STEPHEN A. DOUGLAS, is dead. He lived to see the wisdom of his governmental opinions acknowledged by those who had desperately resisted them; lived to sit in the Senate, and see all the then unorganized Territories of the United States organized in accordance with his policy. The last efforts of his life were for his country, and clearly showed that his patriotism could rise above his devotion to party. When party strife was high, he was a bold and fearless leader. When the country was in danger, he divested himself of party spirit, completely, openly and with power. Let the nation weep for the great dead, and do all honor to his memory."

112. Vigilant Engine Company No. 9 was organized on Washington's Birthday, 1852. Its "House" was on the west side of Stockton Street, between Broadway and Pacific, a two-story brick structure with ornate cemented front, erected by the city at a cost of \$7,500, of which the company contributed \$800. The "Vigilants" had in 1861 a "splendid side-stroke 10-inch cylinder engine, built by Jeffers & Co. of Pawtucket, R. I." In 1859 the company numbered 55, with Charles Ames as President and J. E. Fitzpatrick, Foreman.) *San Francisco Almanac*, 1859, p. 54.)

113. On the 18th the *Union's* San Francisco reporter wired that "The firemen's celebration has absorbed all else. The exercises at Platt's Hall were imposing. After the regular programme, Senator De Long, of Yuba, made a speech and was enthusiastically cheered."

114. Thomas Hayes very early preempted a quarter section of land in what was then a wilderness, but which became the heart of San Francisco. Title to this area was duly confirmed to him, and was known as the "Hayes Tract." Hayes' Valley was northwest of Mission and west of Larkin streets, and the Hayes' Park Pavilion was at the corner of Laguna and Hayes streets. Thomas Hayes had by this time become President of the Market Street Rail Road, and resided at the corner of Van Ness and Hayes streets. Every Sunday a "promenade concert" was given at the Park from 2 to 4 P.M., followed by a "grand ball" under direction of Edward Bueckel. Admission was free and cars were run "direct from the corner of Third Street" to the park. At the time here in question the "Turner Festival" was in process. (*San Francisco Herald*, June 18, 1861; see also *Alta*, March 26, 1870; *San Francisco Directory*, 1861 and 1862.)

115. Thomas Findlay was elected State Treasurer on the Democratic ticket in 1857 and re-elected in 1859. He lived at Grass Valley and was President of the California Water Company, ran a large mercantile house, and was part owner of the Idaho Quartz mine. He died at Georgetown, El Dorado County, Sept. 19, 1888. (*California Blue Book*, 1907, p. 643; *Dagget Scrap Book*, State Library; *Hutchings California Magazine*, Vol. II, March 1858, p. 388, and part. April, 1858, p. 440.)

116. Under the heading "Flag Raising on Bear River," the *National Democrat* for July 2, 1861, recorded that "a flag-staff one hundred feet in height was raised near the store of Richard Baxter, Esq., on Christian Hill, Bear River township, by the unconditional union men of that vicinity, and a splendid new American flag was run up to the summit. The hardy ranchmen from far and near, to the number of one hundred and fifty, assembled on the occasion, and listened to an eloquent speech from Senator De Long of about an hour's duration, frequently interrupting him with enthusiastic applause." Many blasts were pealed "on the anvil," and a quantity of powder was burned as a "fizzle" for Jeff Davis. "After the flag-raising and speaking was over, the crowd enjoyed themselves in a good Union merry-making, which lasted until the small hours. . . ."

117. "THE COMET—This magnificent visitor, though he came unheralded, is attracting universal attention. He retired on Sunday night at eleven o'clock, and at three yesterday morning, he or another one, was visible in the north-east. The public mind will be restless until it hears from astronomers, who can perhaps tell us 'what his lordly name is,' or if he be indeed a stranger to mortals." (*National Democrat*, July 2, 1861.)

HERALD OF THE GOLD RUSH — SAM BRANNAN

It is generally admitted that the honor of publishing to the world the first news of the discovery of gold in California belongs to the New York *Herald*. The edition of that paper of Saturday, August 19, 1848, carried a two-column article in the form of a letter from a "supposed" correspondent in which the state of affairs in California is described at length and in which appears the following:

The gold mine discovered in December last, on the south branch of the American fork, in a range of low hills forming the base of the Sierra Nevada, distant thirty miles from New Helvetia, is only three feet below the surface, in a strata of soft sand rock. From explorations south twelve miles, and north five miles, the continuance of this strata is reported, and the mineral said to be equally abundant, and from twelve to eighteen feet in thickness; so that, without allowing any golden hopes to puzzle my prophetic vision of the future, I would predict for California a Peruvian harvest of the precious metals, as soon as a sufficiency of miners, &c., can be obtained.

The origin of this startling bit of news has been the cause of much speculation. In his *Overland with Kit Carson*, edited by Stallo Vinton from the journals of Lieutenant George Douglas Brewerton, U.S.A., Mr. Vinton, in his introduction, states that "A careful analysis of all the available facts and circumstances demonstrates that on the journey of the text Carson and Brewerton brought with them to the East the first news of the momentous discovery of gold at Sutter's Mill"; and he then goes on to recite his facts, quoting the article in part, as given above, and concluding that the carrier of the letter to the New York *Herald* was none other than the redoubtable "Kit" Carson himself.

A close examination of the New York *Herald* letter, however, discloses some very interesting and surprising facts. Indisputable internal evidence points to a source to which up to this time little attention has been paid, viz.: the Special Edition of Samuel Brannan's *California Star* published in San Francisco and bearing the date of April 1, 1848.

Brannan with his Mormon co-religionists arrived in the ship *Brooklyn* at San Francisco, then Yerba Buena, July 31, 1846. Under his leadership as an elder of The Latter Day Saints, the party consisting of some 230 men, women and children had left New York the preceding January with the intention of establishing a colony on the shores of the Pacific and away from the interferences and the restraints which likewise caused Brigham Young to lead his followers into the western wilderness in search of a new Zion.

When the Brannan "Argonauts" embarked from New York California was without the limits of the territories of the United States, but when the *Brooklyn* sailed through the then nameless Golden Gate, the Stars and Stripes had been floating over the land of promise some three weeks or more. Brannan, it is said, when he discovered this fact as his vessel rounded Loma Alta, our Telegraph Hill, vented his disappointment by casting his hat on the ship's deck and exclaiming angrily, "Damn that flag!"

Whatever his feelings might have been, Samuel Brannan made the best of the posture of affairs and proceeded to establish his people in the village of Yerba Buena as well as circumstances would permit. The cargo of the *Brooklyn* had

been selected with utmost care. Agricultural implements of all sorts formed a part, as did likewise seeds of all kinds, and in addition there was a printing press with all the necessary type and furniture and a supply of paper sufficient for two years. The publication of a newspaper had been decided upon by Brannan before leaving New York. The name had been selected, and the heading of the future journal had been set up and stereotyped.

The incidents of establishing his people and himself, however, delayed the appearance of the *California Star*, so that it was not until January 7, 1847 that the first issue was printed. This delay permitted the Rev. Walter Colton and Robert Semple to snatch the honor of publishing the first newspaper in California: the *Californian* which was given to the public at Monterey August 15, 1846.

Later Semple moved this paper from Monterey to San Francisco, and under date of March 15, 1848 there appeared in his *Californian* an insignificant paragraph of less than a dozen lines which was the first printing anywhere telling of the discovery of gold at Sutter's mill.

GOLD MINE FOUND.—In the newly made raceway of the Saw Mill recently erected by Captain Sutter on the American Fork, gold has been found in considerable quantities. One person brought thirty dollars' worth to New Helvetia, gathered there in a short time. California, no doubt, is rich in mineral wealth, great chances here for scientific capitalists. Gold has been found in almost every part of the country.

It must be borne in mind that Marshall made his discovery on January 24, 1848, and that Captain Sutter swore all at the saw mill to secrecy for a matter of six weeks. This accounts for the delay in bringing the news to public notice, but the facts had leaked out even before that time. A teamster returning from the saw mill at Coloma, whither he had carried provisions for Marshall and his men, wandered into Brannan's store at Sutter's Fort —New Helvetia — and offered gold dust in exchange for whisky. And here began Samuel Brannan's connection with the Gold Rush.

Down in San Francisco E. C. Kemble, editor of Brannan's *California Star*, smarting under the scoop of Semple's *Californian*, determined to visit the diggings and see for himself the extent of the new discovery. Kemble's article reporting his investigations is worthy of quoting in part, for between the lines one can almost read the prohibition of the owner of the *California Star* to say anything respecting the great event. Doubtless Brannan needed time to perfect his plans and determined to make the announcement himself later in his own dramatic way.

Kemble wrote:

Great country, fine climate; visit this great valley, we would advise all who have not yet done so. See it now. Full flowing streams, mighty timber, large crops, luxuriant clover, fragrant flowers, gold and silver.

But the Special Edition of the *California Star* had been planned and much of it written as far back as the middle of March, and the author of its articles, Dr. Victor J. Fourgeaud, a recent arrival from South Carolina, was busily engaged during Kemble's absence in getting things into shape for publication.

Brannan had announced that the Special Edition would leave overland on the date of its publication, April 1, 1848, and that 2,000 copies would be distributed in the Mississippi Valley; also that the express that carried it would likewise carry letters at a reasonable rate, a sixty-day delivery being guaranteed.

The interest that attaches to this Special Edition of the *California Star* is two-fold; not only was it the means of spreading the news of the discovery of gold in California, but it was the forerunner of all California promotion literature. The paper consists of six pages, 10½ by 16½ inches in size, printed in four columns; a very respectable "sheet" for a community whose total population, as stated in the census appearing in this issue, was 812. "Scarcely eight months since the total number of whites was 375. There has been over a hundred per cent increase within this time."

And now for the moment let us return to the letter printed in the New York *Herald* of Saturday, August 19, 1848.

The basis of this communication may have been, and doubtless was, a real letter from some member of Col. J. D. Stevenson's regiment, but the good half of it, including the Gold News, was lifted bodily from the Special Edition of the *California Star*. One can almost picture a *Herald* re-write man with a copy of Sam Brannan's great effort in his hands picking this item and that to add to the genuine (?) epistle his editor had given to him to expand.

A few examples of this "lifting" will convince the most sceptical that the source of the great news from California was none other than Sam Brannan's masterly effort at promotion literature, written by the pen of Dr. Victor J. Fourgeaud.

THE NEW YORK HERALD

We were yesterday shown a specimen of salt, taken from a large bowl spring, twelve miles west of the Sacramento, which is of the finest quality.

Little, however, is known in relation to mineral coal, in California, as yet; however there are different reports of its having been discovered in various places—Santa Cruz mountains, San Luis *Obispo* [sic], San Diego and Todos los Santos.

There is another discovery, of a copious fountain of semi-fluid asphaltum, near Santa Barbara, running into the sea, and impregnating the atmosphere for several miles. This substance becomes hard, so as to break like rosin, when exposed to the cold air, and is highly combustible.

There is one near Sonoma, and another near the above described quicksilver mines, which are considered by judges to be equal to Saratoga or Balston waters, and similar to the Congress water.

We have received information lately, that a large emigration from China may soon be expected. We have already two or three "Celestials" among us, who have found ready employment.

THE CALIFORNIA STAR

Of Salt.—We were yesterday shown a specimen of salt taken from a large bowl spring, situated twelve miles west of the Sacramento river. It is of fine quality and can be easily rendered equal to any imported.

Little is known in relation to mineral coal in California. As yet there has been no immediate demand for it . . . We have heard of its being discovered at different points upon the navigable waters of this Bay, as also at the Santa Cruz mountains, at San Luis Obispo, at San Diego, and at Todos los Santos . . .

At Santa Barbara there is a copious fountain of semi-fluid asphaltum, which runs into the sea, and covers the waters, and impregnates the atmosphere for miles. This substance becomes hard so as to break like rosin when exposed to the cool air; and it is highly combustible.

It may also be stated that a mineral spring has been discovered near at hand. The water has not yet been analyzed, but gentlemen acquainted with those of Balston and Saratoga, pronounce its properties to be very similar to those of the celebrated Congress water.

We have received information from a reliable source, that a large emigration from China may be expected here. We have already two or three of the "Celestials" among us, who have found ready employment.

The gold mine discovered in December last, on the south branch of the American fork, in a range of low hills forming the base of the Sierra Nevada, distant thirty miles from New Helvetia, is only three feet below the surface, in a strata of soft sand rock. From explorations south twelve miles, and north five miles, the continuance of this strata is reported, and the mineral said to be equally abundant, and from twelve to eighteen feet in thickness.

It has a mine of gold . . . It was discovered in December last, on the south branch of the American fork, in a range of low hills forming the base of the Sierra Nevada, distant thirty miles from New Helvetia. It is found at a depth of three feet below the surface, and in a strata of soft sand rock. Explorations made southward, the distance of twelve miles, and to the north five miles, report the continuance of this strata, and the mineral equally abundant. The vein is from twelve to eighteen feet in thickness. Most advantageously to this new mine, a stream of water flows in its immediate neighborhood, and the washing will be attended with comparative ease.

. . . so that, without allowing any golden hopes to puzzle my prophetic vision of the future I would predict for California a Peruvian harvest of the precious metals, as soon as a sufficiency of miners, &c., can be obtained.

. . . And without allowing any *golden* hopes to puzzle my prophetic vision of the future, I would predict for California a Peruvian harvest of the precious metals, so soon as a sufficiency of miners, mineralogists and metalogists find their way hither, and commence disimbouging her hidden treasures. Gold, and quicksilver will be the principal products of this soil . . .

Such parallelisms can only lead to one conclusion; the use of the Special Edition of the *California Star* in the preparation of the New York *Herald's* article.

It was thus that Samuel Brannan's enterprise was the means of spreading the first news throughout the land, but more was to come. Satisfied apparently with his commercial arrangements with W. D. M. Howard, entered into subsequent to the gold discovery and which gave him extensive financial backing, Brannan with his two stores, one at Sutter's Fort, the other at the Mormon Diggings, was ready now for the great revelation.

April 1848 had passed and so had the greater part of the month of May. San Francisco had remained sceptical as to the extent of the gold discovery, and then Samuel Brannan roused its lethargy in a most dramatic way.

Rushing into San Francisco's Plaza, he doffed his broad-brimmed black hat, and holding aloft a bottle of glittering particles in his left hand, he bellowed in his great bull voice: "GOLD! GOLD! GOLD! From the American River!"

The Gold Rush was born that instant. Uncertainty passed from the minds of his listeners, for Sam Brannan was regarded as the foremost of business leaders. Almost overnight the town was deserted and the stampede was on.

Two days before the New York *Herald* published its notice of gold discovery in California, Governor Richard Barnes Mason had completed and signed his epochal report and dispatched it with the famous oyster can of dust to President Polk by the hands of Lieutenant Loeser. The publication of this document and the President's message to the Congress in early December 1848 completed the publicity begun by the Herald of the Gold Rush — Sam Brannan.

DOUGLAS S. WATSON.

WESTERN HISTORY

A Check List of Recent Items Relating to California and the West*

BARTLETT, LANIER AND VIRGINIA S.

Adios. New York: W. Morrow and Co., 1929. x+309 pp., illust. 8vo.

BISBEE EVENING ORE (The) and the BISBEE DAILY REVIEW

Fiftieth birthday souvenir edition [Bisbee, Arizona], Aug. 3, 1931. 86 pp.
[A notable collection of historical articles and pictures.]

BLEGEN, THEODORE C.

Norwegian migration to America, 1825-1860. Northfield, Minnesota: The Norwegian-American Historical Association, 1931. 413 pp., illust. 8vo.
[Contains chapter on "Emigrant Gold-Seekers."]

BRIDGMAN, H. A.

New England in the life of the World. Boston: Pilgrim Press, 1931. xiii+395 pp., illust. 8vo. [Includes chapter on "New England and California," mentioning Larkin, Willey, Billings, Huntington, Durant and others.]

BRYAN, B.

Excavations at Mishopsnow [Carpinteria.] Art and Archæology, Vol. 31, March, 1931, pp. 176-85, illust. [Accidental rediscovery of village site of Indian canoe-builders on the Santa Barbara coast, leads to unearthing of burials and artifacts.]

CAREW, HAROLD P.

Merriam, the naturalist. *Touring Topics*, Oct. 1929, pp. 32-34, 55. [C. Hart Merriam, one of the foremost naturalist-explorers of America.]

CHABOT, F. C.

San Antonio [Texas] and its beginnings. San Antonio: Naylor Printing company, 1931. 130 pp., illust. 10mo.

COY, OWEN C.

The great trek. Los Angeles: Powell Publishing Co., 1931. [ii]+349 pp., illust. 8vo. [Latest of the nine volumes of the series "California." Overland immigration before and during the gold rush.]

COY, O. C. AND JONES, H. C.

California's Constitution. Los Angeles: privately published by Marjorie Tisdale Wolcott. 78 pp., front. 8vo.

CROWE, GEORGE C.

The last member of Chief Tenaya's band passes away. *Yosemite Nature Notes* [Yosemite Valley], Vol. 10, July, 1931, pp. 57-60. [Death of Maria Lebrado and closing chapter of her recollections, which have been published previously in the same periodical.]

* Readers will confer a favor by furnishing out-of-the-way items for notice in this department. We shall cite books, pamphlets, broadsides, magazine and important newspaper articles of historical value. Send to the Secretary of the Society the items themselves or a card with the title written in the form used here.—Charles L. Camp.

DUFFUS, ROBERT L.

The Santa Fe Trail. New York: Longmans, Green and Co., 1930. xi+283 pp., illust. Roy. 8vo.

DWINELLE, JOHN W.

The Diary of John W. Dwinelle from New York to Panama in 1849. *Quarterly of The Society of California Pioneers*, Vol. VIII, No. 2, June, 1931, pp. 99-129, port. [Also biographical sketch of Dwinelle by W. F. Chipman, pp. 99-104.]

ELIOT, WILLIAM G.

Thomas Starr King in Oregon, 1862. *Oregon Historical Quarterly*, Vol. 32, June 1931, pp. 105-13.

ESSIG, EDWARD O.

A history of entomology. New York: The Macmillan company, 1931. vii+1029 pp., illust. 8vo. [Contains sketches of early California traveler-naturalists: Vosnesenski, Eschscholtz, Chamisso, Xantus, and others.]

FROST, ROBERT

Fraser River gold rush adventures. *Washington Historical Quarterly*, Vol. XXII, No. 3, July, 1931, pp. 203-9.

GROSS, WILLIAM B.

The conquest of California, a dramatic romance of an unknown hero. Boston: The Stratford Co., 1930. vi+361 pp., illust. 8vo.

HARDING, GEORGE L.

The *Pacific News* a forgotten episode in California journalism. "Printed for the *Colophon* [New York] in February, 1931." [16] pp., illust. and facs. Sm. 4to. [Two pages of typewritten bibliography bound into the Bancroft Library copy.]

HENDRY, GEORGE W.

The adobe brick as a historical source. *Agricultural History*, Vol. 5, July, 1931, pp. 11-27. [A continuation and summary of Professor Hendry's studies on seeds and other plant remains preserved in adobe bricks; with records of weed introduction, and exact determinations of types of plants grown during the Mission period.]

HIGGINS, F. HAL

The Moore-Hascall Harvester centennial approaches. *Michigan History Magazine*, Vol. XIV, Summer Number, 1930, pp. 415-37. [Includes an account of the first harvester in California, which came via the Horn in 1853.]

HOWAY, F. W.

A Yankee trader on the Northwest Coast, 1791-1795. In *Washington Historical Quarterly*, Vol. XXI, No. 2, April, 1930, pp. 83-94.

—A list of trading vessels in maritime fur trade, 1785-1794. In *Transactions of the Royal Society of Canada*, Third Series, XXIV: Sec. II, 1930, pp. 111-34.

HUBER, WALTER L.

San Francisco earthquakes of 1865 and 1868. In *Bulletin of the Seismological Society of America*, Vol. XX, No. 4, December, 1930, pp. 261-72.

HUNSAKER, WILLIAM J.

Lansford W. Hastings' project for the invasion and conquest of Arizona and New Mexico for the Southern Confederacy. The *Arizona Historical Review*, July, 1931, Vol. IV, No. 2, pp. 5-12, port.

JAMES, WILL

Lone cowboy; my life story. New York: C. Scribner's Sons, 1930. x+431 pp., illust. 8vo.

JOCHMUS, A. C.

The city of Monterey [California]. Pacific Grove, privately printed, 1925. [34] pp., illust. 8vo.

JOHNSTON, PHILIP

Gentleman Black Bart. *Touring Topics*, October, 1929, pp. 18-19, 50. [Notorious stage-robber of the 80's.]

KORELL, F. F.

California remembers, too. *National Republic* [Washington, D. C.], Vol. 19, August, 1931.

LARKIN, THOMAS O., AND TEMPLE, JOHN

A deal in aguardiente. [Correspondence between Temple and Larkin in 1839.] *Touring Topics*, October, 1929, pp. 24-25, 49. [Edited by Phil Townsend Hanna.]

LATTA, F. F.

San Joaquin primeval —Uncle Jeff's story. A tale of a San Joaquin Valley pioneer and his life with the Yokuts Indians. Arranged by F. F. Latta. Press of Tulare Times, Tulare, California, 1929. 88 pp. [A unique and authentic account of early days in Tulare County and vicinity.]

LONE, E. MIRIAM.

Check-list of first editions of the works of John Ross Browne, California pioneer. With a chronology 1821-1872 [1875]. New York: Lathrop C. Harper, 1930. 16 pp. [Lists fifty-two publications by J. Ross Browne or relating to him. A useful aid towards better appreciation of a California writer who has been unaccountably neglected.]

LYNCH, H. B.

Rainfall and stream run-off in Southern California since 1769. Los Angeles: privately published by the Metropolitan Water District of Southern California, August, 1931. 31 pp., charts and tables. 4to.

[An important use of historical data in a study of rainfall cycles. Reconstruction of rainfall curves before 1850 is based upon studies of Mission crop reports (1774-1834), diaries and accounts of explorers, and reported fluctua-

tions in the level of Lake Elsinore. A glance at the charts reveals that the period of the founding of the Missions (1770-90) was one of exceptionally heavy rainfall followed during the next thirty years by a long period of extreme deficiency. The period of secularization (1829-39) was one of drouth. The pre-gold rush American emigrants established themselves during a wet period. The gold rush occurred at the beginning of a dry spell which continued until 1890, and reached its maximum with the collapse of the Southern California "boom." It would be of great interest to project the study back another three or four hundred years by a study of tree rings in the Los Angeles area. Data might also be obtained from lake-bed and other sediments which should give a still more extended record. For a discussion of changes in ground-water levels in the Los Angeles district, see "Letter of July 29, 1931, from A. L. Sonderegger, to W. P. Whitsett, Chairman, Board of Directors of the Metropolitan Water District of Southern California."]

McGAFFEY, E.

Raising the Bear Flag. *National Republic* [Washington, D. C.], Vol. 18, August, 1930.

MARKHAM, EDWIN

Songs and stories [from the writings of California authors]. Los Angeles, Powell Publishing Co., 1931. 461 pp., illust. 8vo. [One of the most interesting of the series "California."]

MUMIE, NOLIE

The life of Jim Baker, 1818-1898, trapper, scout, guide and Indian fighter. Denver, Colorado: The World Press, 1931. 234 pp., illust. 8vo. [A well printed, limited edition of 250 copies.]

PARRISH, PHILLIP H.

Before the covered wagon. Portland, Oregon: Metropolitan Press. [Early history and legends of Oregon, 1543-1830.]

ROBERTS, FRANK H. H., JR.

The Ruins at Kiatuthlanna eastern Arizona. Smithsonian Institution, Bureau of American Ethnology, Bulletin 100. Washington, Government Printing Office, 1931. viii+195 pp., illust. 8vo. [Excavation of an ancient pueblo and earlier pit houses near St. Johns. The pit houses are possibly prototypes of later pueblo structures.]

RUDGE, WILLIAM E.

The Red Indian. Currier and Ives prints No. 2. With an introduction by W. S. Hall. New York: W. E. Rudge, 1931.

SOOY, LOUISE PINKNEY, AND MACKAY, MARGARET

Fiesta and siesta days. Early California costumes, 1769-1847. Glendale: Arthur H. Clark, 1931. 108 pp., illust. 4to.

TAYLOR, E'DAMIE EDMOND

Clementine E'damie Edmond. Record of her family and events of her life. Berkeley: Privately published by the Studio Book Shop, 1931. 15 pp., port. 8vo. [Early days in San Francisco.]

VAN NAME, E. J.

Vanishing landmarks of the Southwest. *Overland Monthly* (new series), Vol. 88. October, 1930.

WAGNER, HENRY R.

The manuscript atlases of Battista Agnese. "Reprinted for private circulation from *The Papers of the Bibliographic Society of America*, Vol. XXV, 1931." 110 pp., 17 plates. 8vo. [A scholarly treatise describing Agnese's methods of cartography, listing and describing the numerous atlases. Reproductions of maps are from an atlas in the Huntington Library.]

WEBB, JAMES JOSIAH

Adventures in the Santa Fé trade, 1844-1847. [Edited by Ralph P. Bieber.] Glendale: Arthur H. Clark Co., 1931. 301 pp. illust. 8vo. [One of a projected series of 12 volumes on the Southwest, to be edited by Bieber and published by the Arthur H. Clark Company.]

WEBB, W. P.

The Great Plains. Boston: Ginn and Co., 1931. 540 pp. illust., 8vo. [Account of settlement. The author is associate professor of history in the University of Texas.]

WHITE, CHESTER LEE

The Railroader of the 50's [Theodore D. Judah]. *Touring Topics*, October, 1929, pp. 42-46, 48.

WILTSEE, E. A., AND PARKER, W. R.

The Franks of the Everts Expresses. Reprinted from the *Collectors Club Philatelist*, Vol. X, No. 3, July, 1931. 16 pp., illust.

MEETINGS OF THE SOCIETY

Through the courtesy of the Executors of the Will of the late James D. Phelan and the Directors of the San Francisco Art Association, the Society was enabled to hold its June luncheon meeting at "Villa Montalvo," on Sunday, June 28, 1931. No formal program was presented, but Mr. Carl I. Wheat, on behalf of the directors, tendered the thanks of the Society for the privilege of enjoying the beautiful surroundings of our late director's home, and spoke of Senator Phelan's career and services to the Society. He also took occasion to review the work of the Society and comment on the special publications.

Miss Eudora Garoutte, of the State Library, to whom the Society is indebted for many courtesies and much assistance, responded briefly to a request that she speak. She invited the members of the Society to use the materials under her charge and to visit the new quarters in which they are housed.

After lunch the company strolled about the garden, enjoying such an afternoon as we like to regard as typically Californian. It was the largest attendance ever assembled at a California Historical Society luncheon, one hundred and fifty-seven members and guests being present.

ANSON S. BLAKE.

No luncheon meeting was held by the Society in July.

Tuesday, August 25, 1931, over fifty members and their guests were present when Juanita Miller addressed the Society on "Joaquin Miller in Song, Story and Slides."

It is not easy to report in commonplace fashion upon the Joaquin Miller luncheon meeting of the Society. In her own dramatic way the author's daughter enacted the life of the Poet of the Sierras from cradle to grave by aid of pictures, recitations and wierd and compelling songs. There was nothing usual about it all; nothing usual could be expected from the child of Cincinnatus Hiner Miller who all his life took pleasure and profit from the unusual. For over an hour Juanita held her audience enthralled as she dashed from the lantern slide projector to the piano and back again to illustrate some point of her story. Her imitation of Indian chants was remarkable. It is safe to say that those who had the good fortune to be her listeners went away with the impression that Joaquin Miller was an extraordinary man and that he had passed on somewhat of himself to his daughter.

DOUGLAS S. WATSON.

NEW MEMBERS

NAME	ADDRESS	PROPOSED BY
Allen, Hugh S.	Bakersfield, Calif.	Carl I. Wheat
Barron, George Haviland	San Francisco	A. T. Leonard, Jr., M.D.
Baumgartner, Mrs. John Jay	San Francisco	Mrs. John O. Gantner
Bechtel, K. K.	San Francisco	Miss Stella Huntington
Berkeley Senior High School	Berkeley, Calif.	
Boggs, Mrs. Angus Gordon	San Francisco	Garfield D. Merner
Bowlen, Fred J.	San Francisco	A. T. Leonard, Jr., M.D.
Bradley, F. W.	San Francisco	Ernest A. Wiltsee
Conlin, Miss Alice E.	San Francisco	A. T. Leonard, Jr., M.D.
Detels, Mrs. Margaret	New York, N. Y.	A. T. Leonard, Jr., M.D.
Doyle, Richard E.	San Francisco	A. T. Leonard, Jr., M.D.
Gordon, Mackenzie	San Francisco	Edward F. O'Day
Grabhorn, Edwin	San Francisco	A. T. Leonard, Jr., M.D.
Griffin, Frank W.	San Francisco	Ernest A. Wiltsee
Grove, Miss Mavis	San Francisco	A. T. Leonard, Jr., M.D.
Hardin, Frederick L.	San Francisco	A. T. Leonard, Jr., M.D.
Hill, Louis W.	Pebble Beach, Calif.	Ernest A. Wiltsee
King, Miss Enid M.	San Francisco	A. T. Leonard, Jr., M.D.
Kruse, Frieda L., M.D.	San Francisco	A. T. Leonard, Jr., M.D.
Leonard, Eileen Mary, M.D.	San Francisco	A. T. Leonard, Jr., M.D.
Louderback, Mrs. Harold	San Francisco	A. T. Leonard, Jr., M.D.
McAuliffe, Florence M.	San Francisco	Edward F. O'Day
McAuliffe, Rev. Joseph A.	San Francisco	A. T. Leonard, Jr., M.D.
McEnerny, Garrett W.	San Francisco	Ernest A. Wiltsee
Mackenzie, Mrs. M. H.	Los Angeles	Ernest A. Wiltsee
Mott, Baldwin E.	Sausalito, Calif.	Frederick C. Clift
Nash, John Henry	San Francisco	Edward F. O'Day
Nelson, Mrs. N. Lawrence	San Francisco	A. T. Leonard, Jr., M.D.
Oliver, Arthur J.	San Francisco	A. T. Leonard, Jr., M.D.
Pitts, Joseph E.	San Francisco	A. T. Leonard, Jr., M.D.
Pope, Leo J.	San Francisco	A. T. Leonard, Jr., M.D.
Roach, Mrs. Elsa Hunt	Oakland	Carl I. Wheat
Shea, T. T., M.D.	San Francisco	A. T. Leonard, Jr., M.D.
Singletary, Mrs. E. G.	San Jose, Calif.	Ernest A. Wiltsee
Smith, De Lancey C.	San Francisco	Carl I. Wheat
Urioste, Adolfo de	San Francisco	A. T. Leonard, Jr., M.D.
Walker, Miss Kate E.	Santa Barbara, Calif.	Miss Dorothy H. Huggins
Walker, Randolph C.	Piedmont, Calif.	Ernest A. Wiltsee

IN MEMORIAM

GEORGE W. STEWART

Colonel George W. Stewart, who died in San Francisco September 6, 1931, was so modest and self-effacing that the full extent of his contributions to the public welfare and to the store of historical information will probably never be known. The part he played in saving the big trees and in bringing about the establishment of Sequoia National Park fortunately received recognition during his lifetime. Some fragments of his Indian lore have been published and it is hoped that his notes and papers will provide material for further publication. He was a member of the California Historical Society and on May 26, 1925, addressed one of its meetings, speaking on "The Yokut Indians of the San Joaquin Valley."

George W. Stewart was born at Smith's Flat, near Placerville, California, on April 29, 1857. His father, William Stewart, a native of Scotland, lived for a while in Massachusetts, later in Wisconsin, and came to California in the early '50s. His mother, Eliza Ennison Stewart, was a native of England. The Stewarts lived in El Dorado County until 1869, when they moved to Santa Cruz County. In 1872 George Stewart went to Tulare County, and in 1876, at the age of nineteen, began to write for *The Visalia Delta*, becoming local editor in 1878. In May 1880 he became associate editor of *The Mining and Scientific Press*, of San Francisco, but left his position in September of the same year to go to Hawaii, where he became local editor of *The Honolulu Saturday Press* and assisted in compiling *The Hawaiian Annual*. During his two and a half years in Hawaii he formed an intimate and lasting friendship with Charles Warren Stoddard.

In 1885, after a brief stay in Arizona, he returned to Visalia and resumed work on the *Delta*. In 1887, with two others, he formed the Delta Publishing Company. He edited *San Joaquin Valley Resources*, published from 1886 to 1888, contributed to many publications, and continued to edit the *Delta* until 1899.

In 1891 he married Martha L. Rowland, of San Francisco. Mrs. Stewart died last June, while on a visit to Visalia. Their daughter (Emily Forbes Stewart) Mrs. Bayard H. Jones, lives in Reno, Nevada, where the Reverend Mr. Jones is rector of the Episcopal Church.

Stewart joined the California National Guard in December 1887 as a second-lieutenant, Company E, 6th Infantry. During the Spanish War he was stationed at the Presidio of San Francisco with the rank of captain. Subsequently he held the ranks of major and lieutenant-colonel. Following his discharge from active duty in 1898, he entered upon a new career, receiving an appointment from President McKinley as Register of the U. S. Land Office, at Visalia. To this position he was reappointed in 1902, 1906, and 1910. At the close of his last term, in 1914, he opened an office in Visalia as a land attorney. In 1927, because of the

discontinuance of the Land Office at Visalia, he removed his practice to Sacramento, where he lived until last summer, when he returned to Visalia.

Colonel Stewart's work with the Land Office brought him into frequent contact with the Indians of Tulare County. In him they confided as in few other white men. He sympathized with them, protected them as best he could, and in return learned a great deal about their life and their history. For many years he took extensive notes, particularly in regard to the language and customs of the Yokuts. Had he lived a little longer he would doubtless have published more about them. As it is, he has left several important studies as contributions to periodicals, notably in *Journal of American Folk-lore*, 1906, and 1908, and in *Sierra Club Bulletin*, 1927, and in *American Anthropologist*, 1929.

Throughout his life George Stewart was inspired by love of the High Sierra and the Big Trees. His first visit to the mountains was in 1875. In 1899 he went to Mount Whitney, and from that time scarcely a year passed without a visit to some part of the Sierra Nevada. While editor of the *Delta* he took a leading part in the movement that resulted in the establishment of Sequoia and General Grant national parks. In many other ways he contributed to the preservation of the splendid groves of sequoia to be found therein, and he is rightfully called the "Father of Sequoia National Park."¹ As the years went by he became more and more intimate with the region known as the Giant Forest. His perceptive and sympathetic studies are set forth in a little book, published by A. M. Robertson, San Francisco, in 1930, entitled "Big Trees of the Giant Forest." A happy and deserved tribute was paid to Colonel Stewart in 1929 by his friends in Tulare County and by the U. S. National Park Service when a beautiful peak, nearly thirteen thousand feet in altitude, overlooking Giant Forest, was named Mount George Stewart.

FRANCIS P. FARQUHAR.

1. For an account of his part in this work, and for a portrait of Colonel Stewart, see *Big Trees*, by Walter Fry and John R. White, Stanford University Press, 1930.